

# PUBLIC ADMINISTRATION AND PARTISAN POLITICS

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## CONTENTS

	Page
FOREWORD .....	vii
Editor in charge of volume.	
THE INVISIBLE GOVERNMENT .....	x
Extracts from the Address by Hon. Elihu Root in the New York Constitutional Convention, August 30, 1915.	
<i>PART I—THE COST OF PARTISAN POLITICS IN THE WORK OF GOVERNMENT</i>	
THE CHECK AND BALANCE SYSTEM AND ITS REVERSION .....	1
Jacob Tanger, Millersville State Normal School.	
THE INVISIBLE GOVERNMENT AND ADMINISTRATIVE EFFICIENCY .....	11
Edgar Dawson, New York City.	
POLITICS AS A BARRIER TO AN ADEQUATE AND EFFICIENT SYSTEM OF NATIONAL DEFENSE .....	31
George Haven Putnam.	
THE HIGH COST OF THE PORK BARREL .....	43
Joseph E. Ransdell, United States Senator from Louisiana.	
TARIFF MAKING BY LOG ROLLING .....	56
Guy Emerson, Associate Editor, <i>The Economic World</i> .	
SPOILS AND THE PARTY .....	66
Chester Lloyd Jones, University of Wisconsin, Madison, Wis.	
<i>PART II—MOVEMENTS TO FREE PUBLIC ADMINISTRATION FROM PARTISAN POLITICS</i>	
INCREASED EFFICIENCY AS A RESULT OF INCREASED GOVERNMENTAL FUNCTIONS .....	77
Ralph E. George, Department of Economics and Business, Whitman College, Walla Walla, Wash.	
SOME EFFICIENCY METHODS OF CITY ADMINISTRATION ....	89
John Alder Dunaway, University of Pennsylvania.	
PUBLIC WORKS AND ENGINEERING SERVICES ON A PUBLIC SERVICE BASIS .....	103
William H. Connell, Chief, Bureau of Highways and Street Cleaning, Philadelphia.	
THE MOVEMENT FOR RESPONSIBLE COUNTY GOVERNMENT .....	116
H. S. Gilbertson, Executive Secretary, National Short Ballot Organization, New York City.	

THE INTERWORKINGS OF STATE ADMINISTRATION AND DIRECT LEGISLATION .....	122
F. W. Coker, Professor of Political Science, Ohio State University.	
PUBLIC HEALTH AND POLITICS .....	134
Edward A. Moree, Assistant Secretary of the New York State Charities Aid Association.	
THE EXECUTIVE BUDGET .....	146
Editor in charge of volume.	
THE COMPETITIVE CLASSIFICATION OF PRESIDENTIAL POST- MASTERS .....	147
George T. Keyes, Secretary, National Civil Service Reform League.	
OLD AND NEW PROBLEMS OF CIVIL SERVICE .....	153
Henry Moskowitz, President, Municipal Civil Service Commission, New York City.	
 <i>PART III—PUBLIC POLICIES IN A RESPONSIBLE GOVERNMENT</i>	
THE SHORT BALLOT MOVEMENT AND SIMPLIFIED POLITICS ..	168
Richard S. Childs, Secretary, National Short Ballot Organization, New York City.	
MAKING LEGISLATORS LAW MAKERS .....	172
John A. Lapp, Director, Indiana Bureau of Legislative Information.	
TAKING JUDGES OUT OF POLITICS .....	184
Herbert Harley, Secretary, American Judicature Society, Chicago.	
CHILDREN'S CIVIC ACTIVITIES NECESSARY FACTOR IN THE NEW CIVILIZATION .....	197
Wilson L. Gill, President, American Patriotic League, Philadelphia.	
PROMOTING AMERICANIZATION .....	204
Helen Varick Boswell, Chairman of Education, General Federation of Women's Clubs.	
TAXATION AFTER THE WAR .....	210
Simon N. Patten, Professor of Political Economy, Wharton School, University of Pennsylvania.	
TRAINING FOR EFFICIENT PUBLIC SERVICE .....	215
Charles A. Beard, Professor of Politics, Columbia University; Super- visor of the New York Training School for Public Service.	
A PRACTICAL GUIDE TO RESPONSIBLE GOVERNMENT .....	227
H. S. Gilbertson, Executive Secretary, National Short Ballot Organiza- tion, New York City.	
BOOK DEPARTMENT .....	235
REPORT OF THE BOARD OF DIRECTORS, AMERICAN ACAD- EMY OF POLITICAL AND SOCIAL SCIENCE .....	260
INDEX .....	267

# CONTENTS

v

## BOOK DEPARTMENT

	Page
AGRICULTURE, MINING, FORESTRY AND FISHERIES	
MORGAN— <i>Land Credits</i> (L. H. Haney).....	235
COMMERCE AND TRANSPORTATION	
DUNBAR— <i>A History of Travel in America</i> (T. W. Van Metre).....	235
HOUGH— <i>Practical Exporting</i> (T. W. Van Metre).....	237
SHARFMAN— <i>Railway Regulation</i> (T. W. Van Metre).....	237
LABOR PROBLEMS	
HENRY— <i>The Trade Union Woman</i> (E. L. Little).....	237
HUSBAND— <i>America at Work</i> (J. H. Willits).....	238
JOHNSEN— <i>Selected Articles on Unemployment</i> (J. H. Willits).....	238
MONEY, BANKING AND FINANCE	
HAIG— <i>The Exemption of Improvements from Taxation in Canada and the United States</i> (A. N. Young).....	239
POST— <i>The Taxation of Land Values</i> (A. N. Young).....	239
SOCIOLOGY AND SOCIAL PROBLEMS	
CONKLIN— <i>Heredity and Environment</i> (C. Kelsey).....	240
HOARE— <i>Old Age Pensions</i> (C. Kelsey).....	241
HURRY— <i>Vicious Circles in Sociology and their Treatment</i> (J. P. Lichtenberger).....	241
JACOBI— <i>"Common Sense" Applied to Woman Suffrage</i> (J. Myer).....	242
SCHAEFFER— <i>The Social Legislation of the Primitive Semites</i> (J. P. Lichtenberger).....	242
WALD— <i>The House on Henry Street</i> (F. D. Tyson).....	243
POLITICAL AND GOVERNMENTAL PROBLEMS	
BURGESS— <i>The Reconciliation of Government with Liberty</i> (R. G. Gettell) ...	244
COKER— <i>Readings in Political Philosophy</i> (C. L. King).....	246
HILL— <i>The People's Government</i> (R. C. Brooks).....	246
HOLT— <i>An Introduction to the Study of Government</i> (C. L. King).....	247
MUNRO— <i>A Bibliography of Municipal Government in the United States</i> (L. S. Rowe).....	247
STONE— <i>Law and Its Administration</i> (J. J. Sullivan).....	248
INTERNATIONAL QUESTIONS	
CLAPP— <i>Economic Aspects of the War</i> (G. G. Huebner).....	248
DAWSON— <i>Municipal Life and Government in Germany</i> (C. L. King).....	249
ELIOT— <i>The Road Toward Peace</i> (P. White).....	250
HUMPHREY— <i>International Socialism and the War</i> (P. White).....	250
HAUSRATH— <i>Treitschke: His Doctrine of German Destiny and of International Relations</i> (J. C. Ballagh).....	252
STOWELL— <i>The Diplomacy of the War of 1914</i> (C. G. Fenwick).....	252
WAXWEILER— <i>Belgium, Neutral and Loyal</i> (K. F. Geiser).....	253
BIGELOW— <i>Prussian Memories, 1864-1914</i> (K. F. Geiser).....	253
WILSON— <i>The Hague Arbitration Cases</i> (L. S. Rowe).....	253

## MISCELLANEOUS

CUNNINGHAM— <i>Christianity and Politics</i> (J. M. Mecklin) .....	254
GRAS— <i>The Evolution of the English Corn Market</i> (A. P. Usher) .....	254
HOWE— <i>Socialized Germany</i> (F. D. Watson) .....	255
JORDAN and JORDAN— <i>War's Aftermath</i> (J. C. Ballagh) .....	256
LAUT— <i>The Canadian Commonwealth</i> (C. G. Haines) .....	257
TAUSSIG— <i>Inventors and Money-Makers</i> (F. N. Maxfield) .....	257
THAYER— <i>The Life and Letters of John Hay</i> (E. R. Johnson) .....	258
THOMPSON— <i>The History of the Dwelling House and Its Future</i> (T. Conway, Jr.) .....	259

**The Annals of**  
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# Twentieth Annual Meeting

Friday and Saturday, April 28th and 29th

## IMPORTANT NOTICE TO MEMBERS

The dates of the Twentieth Annual Meeting of the Academy have been finally fixed for Friday and Saturday, April 28th and 29th. The topic of the six sessions will be:

**"What Shall the United States Stand For in International Relations?"**

An arrangement arranged the subjects of the individual sessions will be as follows:

### ARRANGEMENT OF SESSIONS

#### FRIDAY, APRIL 28th

- 10:00 a. m. — "The Status of a Double Standard and the International System of International Relations." (Topic of Session 1 to be arranged later.)
- 2:30 p. m. — "What Program Shall the United States Stand For in International Relations?" (Topic of Session 2 to be arranged later.)
- 5:15 p. m. — "The Significance of Internationalism." (Topic of Session 3 to be arranged later.)

#### SATURDAY, APRIL 29th

- 10:00 a. m. — "The Significance of Internationalism." (Topic of Session 4 to be arranged later.)
- 2:30 p. m. — "How Can the United States Stand Against the Rights of Her Citizens?" (Topic of Session 5 to be arranged later.)
- 5:15 p. m. — "The Effect of a Policy of World and Military Organization on America's Influence as a World Power." (Topic of Session 6 to be arranged later.)

It is the earnest hope of the officers of the Academy to secure a large representation of members from all sections of the United States. Members are, therefore, strongly urged to arrange their engagements so as to be in Philadelphia at the time of the Annual Meeting. It is earnestly requested that those who are able to attend inform the Academy in order that further information with reference to the meeting may be sent to them.

**Membership.** The subscription price of THE JOURNAL of the American Academy of Political and Social Science is \$5.00 per year. Single numbers are sold at \$1.00 each. THE ANNALS are sent to all members of the Academy. 100% of all of the annual membership fee is then being for a subscription to the JOURNAL. Membership in the Academy may be secured by writing to the Secretary, 20th Street, New York City, N. Y. The subscription fee is \$5.00 per year. Members are only asked all the time to contribute to the Academy, but the fact should be noted and that the Academy is not a charity, but a body of applying to the Academy for a subscription to the JOURNAL and ANNALS.

WILLIAM F. DAVIS,

President.

## FOREWORD

Now that the evils of Invisible Government have been so clearly set forth (page x), the time has come to talk of many things connected with politics and government. Legal checks and balances have given way before extra-legal political control (page 1). Direct election, as a cure for "invisible government," has insured neither popular control nor efficiency of state administration (page 11). Politics as a barrier to adequate national defense has become a matter of no ordinary importance (page 31). The "pork barrel" may have lost its smell in our rivers and harbors, but the odor still exudes from pensions and public works (page 43). The tariff has so often come up as a *local issue* that we may call it a hard name, "recurrent phenomenon," and plan non-partisan tariff commissions (page 56).

Whatever the costs of partisan politics in the work of government, we who make up "the long suffering American public" will pay them—with increasing reluctance.

To Aristotle "politics" may have signified the science of government, and to more recent political scientists the term may have to do with "the expression of the will of the state"; most of us think of the product made in America. Thus we are mindful of public officers who consider their personal advantage and pocket the graft, or put corporate privilege above community welfare; we remember that Poseyville got a new post-office but that a national measure was defeated. We see political parties exalted at the expense of the public weal. We wonder if parties can exist without patronage, and if the method of financing them can be changed (page 66); we do not dissociate parties and "politics." We are depressed; what is worse, we are confused.

Throughout the movements to free government from "politics," one increasing purpose runs: to segregate and clarify issues, and to bring about a more conspicuous responsibility. Administration is to be separated out from legislation, and the necessary steps taken to make legislators responsible for their proper work (page 172). Likewise the judiciary, if our doctrine of the separation of powers can mean anything, must not appoint administrative

officers, and so far as possible must leave to a *responsible* legislature the making of laws; judges can be given a conspicuous responsibility of their own (page 184). Three air-tight departments are of course not possible or desirable, but not even the interworking of direct legislation and administration should complicate issues and responsibility. Advocates of the initiative and referendum hold that these measures will make clearer the lines of responsibility and control in both legislation and administration (page 122). The short ballot is essential to an *effective democracy* (page 168), and the executive budget is a common sense part of any clear cut plan for local, state, or national good-housekeeping (page 146). It is proposed to extend the civil service to postmasters of all classes (page 147), but not content with "shutting the rascals out" by qualifying examinations, supporters of the *merit system* plan to increase responsibility and efficiency in administration by applying sound principles of employment management (page 153).

What with the process of ridding public health and welfare administration of "politics" (page 134), the efforts to put public works and engineering services on a public service basis (page 103), and the discovery that efficiency methods have actually been successful in public business (page 89), we may be hopeful that the old order changeth. But if no other ground were afforded for a rational optimism, we could rely on the very pressure of increasing government work to make for a more effective and economical administration (page 77).

A practical guide to responsible government is offered in the principles of municipal reorganization (page 227), and a movement toward a better sort of county government is clearly discernible (page 116). Everywhere the close formations of old-time politics are being ruled out and open field play provided, so that those of us who want to be at least spectators can know what is going on. Unobscured issues and conspicuous responsibility mean the end of Invisible Government.

But even if visible, popular government were absolutely assured, our problems of "policy" would not be ended. It has been charged that we have set up "a materialistic state mechanism without a soul"; whether we have more than a penny-in-the-slot-government depends largely upon some method of training for citizenship in our schools (page 197), and upon Americanizing the



new homes in this land of opportunity (page 204). As thoughtful Americans, we cannot disregard the lesson from war-torn Europe that in our state the ideas of liberty and efficiency must be combined; we must have capable, trained officials in our government, but it must be *our* government (page 215). And finally, if we keep "in character," we shall ask where the almighty dollars are coming from to carry on the work of this government of ours (page 210).

C. H. CRENNAN,  
*Editor in Charge of Volume.*

## THE INVISIBLE GOVERNMENT

EXTRACTS FROM THE ADDRESS BY  
HON. ELIHU ROOT,

In the New York Constitutional Convention, August 30, 1915.

We talk about the government of the constitution. We have spent many days in discussing the powers of this and that and the other officer. What is the government of this state? What has it been during the forty years of my acquaintance with it? The government of the constitution? Oh, no; not half the time, or half way. When I ask what do the people find wrong in our state government, my mind goes back to those periodic fits of public rage in which the people rouse up and tear down the political leader, first of one party and then of the other party. It goes on to the public feeling of resentment against the control of party organizations, of both parties and of all parties.

Now, I treat this subject in my own mind not as a personal question to any man. I am talking about the system. From the days of Fenton, and Conkling, and Arthur and Cornell, and Platt, from the days of David B. Hill, down to the present time the government of the state has presented two different lines of activity, one of the constitutional and statutory officers of the state, and the other of the party leaders—they call them party bosses. They call the system—I don't coin the phrase, I adopt it because it carries its own meaning—the system they call "invisible government." For I don't remember how many years, Mr. Conkling was the supreme ruler in this state; the governor did not count, the legislatures did not count; comptrollers and secretaries of state and what not, did not count. It was what Mr. Conkling said, and in a great outburst of public rage he was pulled down.

Then Mr. Platt ruled the state; for nigh upon twenty years he ruled it. It was not the governor; it was not the legislature; it was not any elected officers; it was Mr. Platt. And the capitol was not here; it was at 49 Broadway; Mr. Platt and his lieutenants. It makes no difference what name you give, whether you call it Fenton or Conkling or Cornell or Arthur or Platt, or by the names of men now living. The ruler of the state during the greater part of the

forty years of my acquaintance with the state government has not been any man authorized by the constitution or by the law; and, sir, there is throughout the length and breadth of this state a deep and sullen and long-continued resentment at being governed thus by men not of the people's choosing. The party leader is elected by no one, accountable to no one, bound by no oath of office, removable by no one. Ah! My friends here have talked about this bill's creating an autocracy. The word points with admirable facility the very opposite reason for the bill. It is to destroy autocracy and restore power so far as may be to the men elected by the people, accountable to the people, removable by the people. I don't criticize the men of the invisible government. How can I? I have known them all, and among them have been some of my dearest friends. I can never forget the deep sense of indignation that I felt in the abuse that was heaped upon Chester A. Arthur, whom I honored and loved, when he was attacked because he held the position of political leader. But it is all wrong. It is all wrong that a government not authorized by the people should be continued superior to the government that is authorized by the people.

How is it accomplished? How is it done? Mr. Chairman, it is done by the use of patronage, and the patronage that my friends on the other side of this question have been arguing and pleading for in this Convention is the power to continue that invisible government against that authorized by the people.

What does the boss have to do? He has to urge the appointment of a man whose appointment will consolidate his power and preserve the organization. The invisible government proceeds to build up and maintain its power by a reversal of the fundamental principle of good government, which is that men should be selected to perform the duties of the office; and to substitute the idea that men should be appointed to office for the preservation and enhancement of power of the political leader. The one, the true one, looks upon appointment to office with a view to the service that can be given to the public. The other, the false one, looks upon appointment to office with a view to what can be gotten out of it. Gentlemen of the Convention, I appeal to your knowledge of facts. Every one of you knows that what I say about the use of patronage under the system of invisible government is true. Louis Marshall told us the other day about the appointment of wardens in the Adiron-

dacks, hotel keepers and people living there, to render no service whatever. They were appointed not for the service that they were to render to the state; they were appointed for the service they were to render to promote the power of a political organization. Mr. Chairman, we all know that the halls of this capitol swarm with men during the session of the legislature on pay day. A great number, seldom here, rendering no service, are put on the payrolls as a matter of patronage, not of service, but of party patronage. Both parties are alike; all parties are alike. The system extends through all. Ah, Mr. Chairman, that system finds its opportunity in the division of powers, in a six-headed executive, in which, by the natural workings of human nature there shall be opposition and discord and the playing of one force against the other, and so, when we refuse to make one governor elected by the people the real chief executive, we make inevitable the setting up of a chief executive not selected by the people, not acting for the people's interest, but for the selfish interest of the few who control the party, whichever party it may be. Think for a moment of what this patronage system means. How many of you are there who would be willing to do to your private client, or customer, or any private trust, or to a friend or neighbor, what you see being done to the state of New York every year of your lives in the taking of money out of her treasury without service? We can, when we are in a private station, pass on without much attention to inveterate abuses. We can say to ourselves, I know it is wrong, I wish it could be set right; it cannot be set right, I will do nothing. But here, here, we face the duty, we cannot escape it, we are bound to do our work, face to face, in clear recognition of the truth, unpalatable, deplorable as it may be, and the truth is that what the unerring instinct of the democracy of our state has seen in this government is that a different standard of morality is applied to the conduct of affairs of state than that which is applied in private affairs. I have been told forty times since this Convention met that you cannot change it. We can try, can't we? I deny that we cannot change it. I repel that cynical assumption which is born of the lethargy that comes from poisoned air during all these years. I assert that this perversion of democracy, this robbing democracy of its virility, can be changed as truly as the system under which Walpole governed the commons of England, by bribery, as truly as the atmosphere which made the *credit mobilier* scandal possible

in the Congress of the United States has been blown away by the force of public opinion. We cannot change it in a moment, but we can do our share. We can take this one step toward, not robbing the people of their part in government, but toward robbing an irresponsible autocracy of its indefensible and unjust and undemocratic control of government, and restoring it to the people to be exercised by the men of their choice and their control.



## THE CHECK AND BALANCE SYSTEM AND ITS REVERSION

BY JACOB TANGER, PH.D.,

Millersville State Normal School.

The reactionary movement which developed into the French Revolution presents from among the flood of literature of the day setting forth both the economic and political evils of the old régime, a theory of government which, because of its acceptance in the United States and later in France, and also in the South American Republics, has become a fixed element in the political thinking of our day. The desire to limit the sovereign was the distinguishing feature of the pamphlets and letters of Frenchmen of the period touching upon the condition of their country. With most convincing argument Montesquieu in 1748 presented his view that the security that undivided sovereignty should not become a despotism lay in the performance of the executive, legislative, and judicial functions by special bodies. His observation of the British people led him to conclude that their enjoyment of political liberty was due to the particular merits of their constitution, by which the king's ministers, the legislature, and the law courts performed functions with a greater degree of independence than was the case in any other nation. He did not hope, however, to have this ideal type of government established in France, but rather to have a restoration of "privileges which though discontinued were not lost to memory," and of "those opposed and conflicting interests which interpose a salutary check on all precipitate resolutions, so organized as to limit arbitrary power of the government."

Montesquieu died in 1755, but his theory of government survived in the minds of men more radical than he, who, after the lapse of forty years from the time of its statement, encouraged to some extent no doubt by the acceptance of the doctrine by Blackstone in England as the principle underlying the British government and its application in the American state and federal constitutions, applied it with uncritical faith in the French constitution of 1791.

A more minute analogy between Montesquieu's theory and



the British government was drawn by Blackstone in his *Commentaries* published in 1765. It was this work on English law which has served as the foundation for much of our legal training even in the present day, that presented to the framers of the state constitutions and later of the United States Constitution, the system of checks and balances as applied in actual government of the time. The great jurist's recognition of the principle in the British government is clearly apparent when he refers to the Crown, the Lords, and Commons, and says:

Like three distinct powers in mechanics, they jointly impel the machine of government in a direction different from what either, acting by itself would have gone, but at the same time in a direction partaking of each and formed out of all; a direction which constitutes the true line of liberty and happiness of the country.

But neither Blackstone nor Montesquieu maintained that a complete separation of powers was possible. There would be of necessity some processes of osmosis between them—a water-tight compartment for each branch of the government was not contemplated.

It was in the government of the American colonies, however, that a stricter application of the system than was possible in the home government presented itself. (The presence of effective checks and balances in a government in which the executive and judicial departments were creatures of the home government, while the legislature was of local origin, is strikingly apparent. When the friction created by this maladjustment of governmental function developed into an open conflict and independence was declared, the states in many cases found themselves with only one of the three departments remaining, namely, the legislature. But a gradual evolution of executive and judicial departments was to follow. At first a weak and carefully circumscribed executive and judiciary existed as a result of newly framed constitutions and legislative enactments. Governmental machinery similar to the customary British pattern was eventually established in every state except Rhode Island and Connecticut. The check and balance theory of government dominated the thought of the framers of these new state constitutions as it did later the framers of the federal constitution. The difficulty encountered in providing for the two branches of government hitherto appointed by the Crown, gave rise to variety



both in the method of choosing the officials and in the extent of their power. The period was an experimental one in the establishment of governments. The political idea that was uppermost was that of Montesquieu. Quite naturally the locally organized legislative branch of the colonial government which survived, was granted supremacy. Fear lest they should reestablish a condition that would lead to executive encroachment as they had experienced it, undoubtedly drove the framers to neutralize that department even with its new local origin to an unwarranted degree. The Articles of Confederation reflect the operation of the same precaution against the establishment of monarchical power in the massing in a Congress alone of the few powers the states were willing to concede. The incompetency of government provided in these Articles, as well as that of the state, eventually brought both financial and commercial distress sufficiently pressing to necessitate distinct provision for well defined executive and judicial powers. How these were to be incorporated with the assurance that they would function with sufficient vigor to assure stability of government, and yet with not so much vigor as to endanger the activity of the legislative branch, was a problem of no small importance when the Federal Convention assembled in 1787 to revise the Articles of Confederation.

The creation of a strong executive and judicial department was accepted as a necessary requirement. State rivalry and the common fear of a strong federal government among the state legislatures prevented the establishment of a system of government that could in any respect become aggressive. The results of the work of the convention show the most deliberate application of the theory of checks and balances yet produced. The creation of a strong executive and judicial department was accepted as a necessary requirement of the new government soon after the delegates entered upon their task. That they should exist and still not become the oppressive agents they had proven to be in colonial government, taxed their ingenuity.

As a result of the application of Montesquieu's theory to these conditions, the constitution presented a form of government in which the legislature was divided into two branches, that they might serve as checks on each other, and strong executive and judicial departments endowed with the powers of appointment,

veto, and annulment, that they might not only preserve themselves but also limit the power of the legislature as well. The selection of the lower branch of Congress was given to the people, while the upper was to be chosen by the state legislatures; an arrangement whereby the will of the people and the will of the states would be expressed in legislation acceptable to both. An indirect method of choosing the chief executive was provided, that neither the state nor the people would have undue advantage in controlling this all-important and hitherto dangerous official. The appointment of the judiciary by the President, with the advice and consent of the Senate, represents still further the ingenuity of the framers in their effort to prevent a continuous line of influence finding expression in the several departments. The legislature which had hitherto enjoyed great freedom of activity was now not only restricted by the executive and judiciary departments, but also by limitation on the character of its legislation.

It is of interest to note the jealousy with which each department has guarded itself against the encroachments of the other from time to time during the history of our present constitution. In 1796, during Washington's administration, the House of Representatives called on the President for instructions given to the United States Minister preliminary to Jay's Treaty, which had been already ratified, "except such as any existing negotiations may render improper to be disclosed." On the 30th of March of the same year Washington, in a message to the House, responded in part as follows:

As it is essential to the due administration of the government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard for the Constitution and to the duty of my office, under all circumstances of this case, forbids a compliance with your request.

When the Senate called upon President Jackson on December 11, 1833, to communicate to the Senate "a copy of the paper which had been published" over his signature, and which bore directly on the subject of the removal of deposits from the United States bank, he replied in his message of refusal that the executive was "a coördinate and independent branch of the government equally with the Senate." He continued with the following declaration:

Knowing the Constitutional rights of the Senate, I shall be the last man under any circumstances to interfere with them. Knowing those of the Executive, I

shall at all times endeavor to maintain them agreeably to the provisions of the Constitution and to the solemn oath I have taken to support and defend it.

After refusing on several occasions to concede to the Senate the right to make requests of this kind, he expressed himself in a message of February 10, 1835, in regard to a request of an earlier date, in the following manner:

This is another of those calls for information made upon me by the Senate which have, in my judgment, either related to the subjects exclusively belonging to the Executive Department or otherwise encroached on the Constitutional power of the Executive. Without conceding the right of the Senate to make either of these requests, I have yet, for the various reasons heretofore assigned in my several replies, deemed it expedient to comply with several of them. It is now, however, my solemn conviction that I ought no longer, from any motive nor in any degree to yield to these unconstitutional demands. Their continued repetition imposes on me, as the representative and trustee of the American people, the painful but imperious duty of resisting to the utmost any further encroachment on the rights of the Executive.

President Tyler, in answer to a request by the House addressed to the President and heads of the several departments, said to comply would not be "consistent with the rights and duties of the Executive Department," and further:

It becomes me, in defence of the Constitution and laws of the United States, to protect the Executive Department from all encroachments on its powers, rights, and duties.

Presidents Polk and Fillmore refused to comply with similar requests. President Cleveland, in his message of March 1, 1886, in referring to the numerous demands of the Senate upon the different departments of the government for information and documents, said:

My oath to support and defend the Constitution, my duty to the people who have chosen me to execute the powers of this great office and not to relinquish them, and my duty to the Chief Magistracy, which I must preserve unimpaired in all its dignity and vigor, compel me to refuse compliance with these demands.

The judiciary has asserted its independence and maintained it to an even greater degree. Washington in his first administration asked the Supreme Court for advice concerning the rights and duties of the United States under certain treaties and international law. The court refused to grant his request, and asserted that it would only render an opinion on the point involved when a case was brought before it. More than a century of precedents now sustains this

position of our courts. President Jefferson's refusal to appear before the Supreme Court at the request of Chief Justice Marshall seems to have left no doubts as to the inability of the courts to control the executive. The legislative department has found itself hedged in from the beginning by the express denial to it of certain powers by the Constitution, the veto of the President, and the nullification of its acts by the Supreme Court. It has, however, at times asserted itself in a hostile manner towards one or the other of its departments, but with no permanent results, as in 1801 when it attempted to abolish the federal courts, and in 1868 when it disciplined a President and incidentally determined the character of the Supreme Court.

Such in brief is an outline of the attempt to apply and preserve Montesquieu's systems of checks and balances in our federal government. An observation of its application and survival elsewhere will not be out of place at this point. As already stated, the French constitution of 1791 was drafted in strict accord with Montesquieu's doctrine. The constitution of 1799, under which Napoleon secured for himself the office of first consul, stipulated that the first step in the enactment of laws shall be their initiation by the administration. The adoption of that constitution indicates the disappearance of the doctrine from federal forms of government. The establishment of the French Republic presents additional evidence of the rejection of the doctrine by the French people in the provisions of their Constitution of 1875, whereby the executive and legislative powers are definitely connected and express power is given to the President to initiate laws.

A brief inspection of the British government, the "mirror" in which Montesquieu saw his theory most nearly realized, indicates no reversion to the royal veto abandoned in the beginning of the eighteenth century, but rather the development of a much closer relation between the executive and the legislative departments through the ministry, with the gradual reduction of the opposition presented by the House of Lords. Nor has there been any tendency to apply the principle which Montesquieu saw so nearly perfected in the home government, in the establishment of governments in outlying dominions. The governments of Canada, Australia, and South Africa are all characterized as responsible governments. A close relation between the executive and legislative is

expressly provided in their systems of government. In Canada all executive acts are done on the advice of the cabinet, the members of which hold office only so long as they retain the confidence of the people as expressed by their representatives in parliament. In Australia the executive power, vested in the King, is exercisable by the Governor General, who is assisted by an Executive Council of responsible Ministers of State. These ministers are, or must become within three months, members of the Federal Parliament. The government of South Africa is of practically the same character as that of Canada and Australia. The Governor General holds office during the King's pleasure. He is advised by an Executive Council, whose members he nominates. Every minister of state thus appointed may sit and speak in either house, but can vote only in the house of which he is a member; but ministers cannot hold office for a longer period than three months unless they are or become members of either House of Parliament by regular election. In fact the writers on the British Government now scarcely recognize the theory. Hallam in his famous work, *Constitutional History of England*, published in 1827, did not refer to a check and balance system as even existing, but treated the English Constitution as being based on the connection of powers. Bagehot in a later work, *The English Constitution*, devotes a chapter to "Its Supposed Checks and Balances." Lack of support of the doctrine both as a theory and in practice, is clearly indicated by constitutional developments of the 19th century in France and the British Empire. An inspection of the governments of South America, which were patterned to a large degree on that of the United States, reveals in several instances an unmistakable tendency, as a result of revolutions and consequent constitutional revisions, to adopt the present French system.

In considering the check and balance system in the government of the United States, at an earlier point reference was made to the almost ever present friction and at times violent clashes between the several departments. More effective, however, in changing the character of our government has been the pressure brought to bear indirectly upon the three departments, which has tended to mold them in its subtle manner into a purposeful and harmoniously functioning government. Gradually in the actual working of the government, the separation of departments as a principle has been



discounted in favor of the fulfillment of the wish of the people. Efforts to amend the Constitution so as to have it contain a definite statement of the doctrine of the separation of powers, in accordance with which the three departments were established, ended with the first Congress. The first check to disappear without amending the Constitution was the choosing of the President by electors, and we may safely say that it is but the forerunner of the direct primary. The conflict over the slavery question ended with the overthrow of the logical structure built on the Constitution by Calhoun and the rise of the national idea worked out opportunely and presented by Webster, which in its later acceptance and application by Lincoln dealt a fatal blow to the chaotic possibilities of "State Rights" and secession. Another factor, and one that has had a tendency to reduce the barriers separating the different departments, in a more consistent and continuous manner than any other, is the political party. With the party eventually came organization and leadership and a definite governmental program. The logical leader of the party in office is the President. To him we now look for the carrying out of the preëlection promises of the party. Gradually, although in some cases reluctantly, he has been advancing to a position where he actually dominates the legislative activities of Congress. President Lincoln, in his earnest advocacy of compensated emancipation, presented, for the first time by a chief executive, a draft of a bill in connection with a message in recommending a solution of the slavery problem. Drafts of bills and joint resolutions were presented with messages to Congress by Johnson, Grant, Hayes, Arthur, Cleveland and Harrison. President Taft adopted the plan of informing Congress in his special messages that, at his request, the head of one of the departments had prepared a bill providing for the special thing to which he referred in his message, and that such bill was at the disposal of the appropriate committee of Congress, if they choose to avail themselves of it. The committees in these instances promptly asked for the bill and discussed it. President Wilson has openly assisted in preparing a legislative program with the party leaders in the Senate and House, and has insisted that certain measures be passed.

A more radical reaction against the check and balance system is seen in the recent adoption of the commission form of government for our cities. The lack of responsiveness and definite responsi-

bility in the old system, together with its inefficient administration of the people's affairs, caused it to give way under the pressure of definite problems to a system of responsible government. Evidences of similar changes in the state governments are not so apparent. A strong executive has in several instances, however, succeeded in having the wish of the people carried out by overcoming the inaction of the legislature.

When we come to inquire why the check and balance system is losing its grip on our government, our only answer seems to come after an observation of the change in conditions economic and social during the past century. In a new country with room for expansion, a government guaranteeing security to the property of the individual and at the same time sufficiently well adjusted as to run without constant watching, was quite satisfactory to the majority of the people. Appeals to the people and popular programs were not wanting, however. Advocates of democracy as a principle have been present throughout the period and have done much to promote the cause of the people in the name of democracy, but it was only when industrialism and big business attempted to securely entrench themselves behind the guarantees to minorities that the less favored majority began to turn to their government for assistance. The indirect method of electing senators was attacked with resistless vigor, and means were devised for popular selection prior to the amendment of the constitution to that effect, in order that the people might make their influence more directly felt in Congress. The executive as more nearly representing all the people than any other department, was looked to as the leader of the majority. President Roosevelt assumed this leadership with vigor. President Taft, on the other hand, due no doubt to his deep respect for judicial precedents, reluctantly took up the task, and only after he found that Congress had done practically nothing toward redeeming party pledges by legislative enactments. President Wilson upon his inauguration openly and confidently assumed the responsibilities of the leader of his party, and set about his task, to the general satisfaction of the people, by calling a special session and casting precedent aside in appearing in person before the assembled houses to read his message.

Frequent proposals have been made both in and out of Congress to the effect that heads of our executive departments be ad-

mitted to either House of Congress, whenever measures relating to their own department are under consideration. The obvious intent of those advocating this change in the relation of the departments of the government is to make possible a more harmonious administrative policy. A greater departure from the present system of separate executive and legislative authority is that contained in the proposals permitting members of either house to occupy cabinet positions. While members of the cabinet could without doubt be permitted to sit in Congress and take part in debates without amending the Constitution, a member of either house could not occupy a cabinet position because of constitutional limitations. A closer alliance between the cabinet and Congress would undoubtedly secure greater harmony in the conduct of public business by making possible a definite party plan of action. A proposed amendment to the Constitution made by Senator Bristow of Kansas on December 4, 1912, if adopted would have extended the President's power over legislation to a marked degree, by providing that he might submit to the electors at a regular Congressional election measures recommended by him which Congress had failed to enact within six months. In case such measure should receive a majority vote in a majority of the Congressional districts and also in a majority of the States, it should become a law. This referendum if adopted would no doubt rarely be used, but would secure the end sought by keeping Congress awake to the call of public opinion as developed under the leadership of a strong executive.

Opposition to this increase of power on the part of the President is not wanting. There are those who rise in one or the other houses of Congress and denounce it as only becoming to a czar, and as directly opposing the principle of checks and balances in accordance with which our government was framed. Arguments of this kind in recent years are not taken seriously in either body. That there are far reaching advantages in the modification of the system to the extent already observed, seems to be generally accepted. It means a prompter and more efficient expression of public opinion as well as a better placing of responsibility. It will without doubt mean more sincere party platforms. As to the danger in increasing the President's power, the real increase of power accrues to the people, for by its exercise they are able to render far more effective their support of desirable measures.



## THE INVISIBLE GOVERNMENT AND ADMINISTRATIVE EFFICIENCY<sup>1</sup>

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During the first few weeks after each gubernatorial election in New York State such remarks as the following are frequently heard: "We are expecting a good deal from the new governor. He has made a faithful and efficient officer heretofore; and we believe he will set things to rights at Albany if any man can do it." Such statements are made by those who believe that it is possible for the governor of New York State to perform the duty which the constitution imposes upon him and "take care that the laws are faithfully executed." They believe that the success of the administration in which he serves does in a large measure depend upon his willingness to do his duty and upon his ability as an administrative officer. The purpose of this paper is to show, as fully as the narrow limits assigned to it make possible, that this belief is wholly erroneous, and that the governor is chief executive only in the imagination of those who are not familiar with the tangled mass of civic relations which has its centre at Albany.

The mistaken notion of the position of the governor is based in some measure on a comparison of his functions and powers with those of the President of the United States. But the President is the only one, among the thousands of members of the federal administration, who is elective. He is in theory at least, and not seldom in fact, really master of the executive departments during

<sup>1</sup> Most of the detailed information on which are based the general statements in this paper is to be found fully and officially set forth in two volumes on *The Constitution and Government of the State of New York*, prepared by the Bureau of Municipal Research of New York City for the constitutional convention held in New York State in 1915. The attention of the reader is particularly directed to one of these volumes, *An Appraisal*, from which, with the kind permission of the authors and publishers, are taken the charts numbered I, II, III, IV with their accompanying keys, appended to this paper. If this paper serves to bring that volume to the attention of a larger public than it has yet reached, a useful purpose will have been accomplished.

the four years for which he is elected. He appoints the ten secretaries or heads of departments which constitute his cabinet. These ten heads of departments, with his consent, appoint their immediate aids, or assistant secretaries. Within the ten departments over which these ten secretaries preside, are coördinated and organized all the executive activities of the entire federal system. Each department is divided into bureaus and divisions, each with its bureau chief or division chief. Any extravagance or mismanagement may be traced directly from the humblest clerk directly through the bureau chiefs and the department heads to the President himself. The President has the power to discipline or remove the offending or negligent official, and he is therefore responsible for all aspects of his administration. Moreover, the President is elected for a term which is long enough to make it possible for him to obtain some grasp of the problems of government before his term approaches its end.

In every one of these respects the position of the governor differs from that of the President, and in each item of difference lies an explanation of the fact that the state government is inefficient and extravagant, and the further fact that the governor cannot be justly held responsible for such inefficiency and extravagance. The governor is elected for a term of two years, the first of which is expended by most men in becoming familiar with the duties of the office. In the second the governor is approaching the end of his term and he must consider the fact that what he begins he may have to relinquish unfinished to his successor. He does not appoint any heads of departments or secretaries whose duty it is to advise him; he has no cabinet of aids. He is only one of a group of public officials elected to high political office at the same time. There is no organization of the work of the state into great departments. The work is distributed through a multitude of unorganized disjuncta of administration over which no one presides. The state administration may be compared to a corporation which spends more than forty millions of dollars on current expenses and employs fifteen thousand servants, but which has no head, no manager, no directing will *legally constituted* to preside over it. It *appears* to be a drifting, amorphous mass, as helpless as a field of seaweed in the ocean. It is desirable that emphasis be placed in the foregoing sentences on the words "*legally constituted*" and "*appears*"; for,

as a matter of fact, there is a strong directing will, though not legally constituted, which prevents the conduct of the affairs of the commonwealth from being altogether a matter of directionless drift. This extra-legal will is that of the Invisible Government to which Mr. Root (page x) so eloquently referred in his now famous address before the state constitutional convention last summer.

In order to make the following discussion at all profitable it is necessary that as concrete a description as is possible be given of the sort of organization under which the affairs of New York State are neglected. But to describe it is as difficult as to describe a mob. It may be possible to give the number of persons concerned, and the duties expected of them; but an orderly description cannot be made of that in which no order exists.

The extent of the state's service may be indicated by the fact that it employs, more or less permanently, fifteen thousand persons who are listed by the civil service commission. These represent almost every possible occupation and are engaged in nearly every sort of task that modern civilization imposes. They are scientists, mechanics, laborers, educators, farmers, sweepers, accountants, road builders, architects. The relation of the governor to their activities may be suggested by the fact that they are distributed through more than 150 separate units of administration, which units are not grouped for administrative purposes. The number is not more definitely stated because different writers of authority estimate the number at various figures ranging up to as many as 170. The entire federal service is organized under ten departments, each department being internally organized into bureaus and divisions; the state service is not. The negative condition scarcely needs further emphasis.

With the governor are elected, generally from his party, a secretary of state, a comptroller, attorney-general, treasurer, and state engineer and surveyor. But these men are not heads of departments in the sense in which the federal secretaries are heads, for there are no departments in that sense. They are not aids to the governor for they are frequently out of sympathy with him even when they adhere to the party to which he belongs. Once, at least, not many years ago, the governor did not dare trust the attorney-general to undertake prosecutions which were necessary because he felt sure that the attorney-general would use the opportunity

for partisan purposes. The condition of a governor and a comptroller working at cross purposes is not exceptional. A governor opposed by his official legal adviser and by the principal financial agent of the state is helpless enough to impress the mind of the most casual observer. The governor is merely one of a number of miscellaneous state officers with the advantage of participation in a very limited way in legislation, and the disadvantage that he is not the head of any department. Several other state officers receive a higher salary than his; and many of those not in the permanent civil service hold office for a longer term than he does.<sup>2</sup>

It is true that the governor has in theory a large power of appointment.<sup>3</sup> To be more accurate, a large number of state officials are appointed by the governor with or without the coöperation of the senate. This power of appointment would seem to place at least initial control in his hands and thus make him in some degree responsible for the conduct of the work done by these appointees. But many if not most of such officers enjoy a term longer, some of them several times as long, as that of the governor. They are therefore in office when he comes on the scene and, remaining through his term, live after he has departed. Moreover, their removal is hedged about with so many difficulties<sup>4</sup> that it is practically impossible for anyone to control them except the power which can control the legislative<sup>5</sup> as well as the executive force. Such a power can abolish offices; such a power resides in the Invisible Government.

All this results in a chaos which it is difficult to comprehend, almost difficult to believe exists in a state inhabited by some of the ablest minds and strongest wills in this country, famous for its

<sup>2</sup> See appended Chart V.

<sup>3</sup> See appended Chart I. As is graphically shown by this chart, "there are at least sixteen different ways of appointing the heads of state departments, bureaus and offices, and members of commissions." For a list of these sixteen, see *An Appraisal*, pp. 36-37. See also Charts III and IV.

<sup>4</sup> See appended Chart II. "No argument is necessary to show that the system of removal from office has as much influence upon the efficiency of the personnel as the system of appointment." See also Charts III and IV.

<sup>5</sup> Professor H. J. Ford in his brilliant essay on *The Cause of Our Political Corruption* has shown that our wide separation of the legislative from the executive powers, based wholly in theory and not at all in experience, has resulted in giving to the Invisible Government an enormous power over both of these departments.

practical business sense. Some much more detailed illustration is necessary to establish even the credibility of such statements as have been made.

The public works of the state supply one of many possible illuminating illustrations. Affairs in this field which would logically fall into one department are managed, in so far as they are managed at all, by the following separate organs:

- Two legislative commissions;
- A department of buildings;
- A department of highways;
- A department of public works;
- A state engineer, who is elected;
- A state architect;
- Various trustees of public buildings;
- Various commissions on parks;
- And other organs.

At the head of "the department of public works" is a superintendent who is appointed by the governor and senate. The work of the department, in spite of its name, is limited to duties related to the canals; and even in this field some of the duties are assigned to the state engineer by statute. The duties of the state engineer are pretty definitely fixed and limited; he is not, as one might suppose from his title, the representative of the chief power in the state in matters of engineering. The state architect, who is appointed for a term which exceeds that of the governor, relieves the state engineer and surveyor, who is elective, of the duty of preparing drawings and specifications for all public buildings, except (note the indisposition to grant too general powers) for armories, school buildings and buildings under the jurisdiction of the trustees of public buildings. There is something esoteric and sacred about the building of armories which forbids that they be entrusted to a mere state architect. It is scarcely necessary to follow the devious trail through the assignment of public works and find out who has the privilege of supervising the building of a garage for the trustees of a public building, and whether the official is elected or appointed, and if the latter whether appointed by the governor or by the legislature. It would doubtless appear that a separate statute creates a commission whose duty it is to recommend to the governor the appointment of an official for six years; and that this official be removable by the governor on the address of both houses of the legislature. It is



manifest that, in this department at least, the tyranny which might result from centralized authority is carefully avoided.

When it is realized that in 1914 the state expended many millions of dollars in public works, the quotation of the following paragraph may seem justified even in this brief paper:

With 15 boards, commissioners, officers and departments engaged in handling various parts of the public works problem of the state and with certain of these executives responsible to the governor, others elected by the people, others appointed by special boards, others ex-officio, etc., it is impossible to formulate any sort of a constructive public works program which will coördinate all of the engineering and general public service activities of the state. Whatever may be adopted as a principle of control, whether executive or legislative, the present organization is chaotic, and the various parts are misfits. Engineering problems cannot be solved quickly, and can never be solved effectively without careful preliminary planning. The only coördinating factor now to be found in the state organization is in the state engineer as an individual, due to the fact that he, as an individual, has been placed on most of the boards and commissions having to do with special problems. Since the abolition of the highways commission, however, there is no organic provision for coöperation of any nature between the highways department and the general engineering department of the state. There is no organic provision for coöperation between the department of architecture and the state engineer's department, although such coöperation would unquestionably increase the efficiency of the engineering service of the state architect's department. There is no organic provision for coöperative working relation between the state engineer's department and the department of public buildings, or the trustees of public buildings, and quite inadequate provision for coördination of effort between the hydrographic and general surveying corps of the state engineer's department and the work of the conservation commission, particularly as this latter is concerned with the conservation of water power. It cannot be expected that either economical or efficient administration of the public works affairs will result where the heart of the public works organization of the state is wholly independent of every other organization engaged in related work. Best results can never be obtained until the services of the engineers of the state engineer's department are made available for use in every other department of the state government requiring engineering service. That such a coördination is not possible at the present time is an indictment of both the constitution and statute law of the state.<sup>6</sup>

To care for the public health,<sup>7</sup> which function would naturally be thought of as falling within the duties of one department, the

<sup>6</sup> *An Appraisal*, pp. 135-136. On the second of these pages will be found a list of highway commissioners, showing a clear change of policy nine times in sixteen years. Yet modern road building is not a matter of days and weeks.

<sup>7</sup> For a full account of the chaotic condition of the performance of this function see *An Appraisal*, pp. 158-167.

state also provides in devious ways. True there is a department of health, but in addition to this the department of agriculture is charged with protecting the public health through its chemists and inspectors of butter, and other foods; the department of labor is charged with safeguarding the state against diseases growing out of unhygienic factories or home conditions in which work is done; the state board of charities and other departments all share the work which should fall within the field of one well organized department of health. The governor, of course, has no relation to this important function, for the commissioner of health is appointed for a term of six years<sup>8</sup>—three times that of the governor. To remove an indifferent commissioner is under existing circumstances practically out of the question.<sup>9</sup>

These slightly detailed references to the disorganization of the means for the performance of two functions of the state have been given as illustrations. As has been stated above, it is impossible to describe chaos. In a system made up of 150 departments, boards, bureaus, institutions, commissions, and offices, which has originated through the legislature's adding one item after another every time it has been necessary to reward some faithful party worker, or remove some unpopular incumbent, it is manifest that duplications and inconsistencies must abound to such a degree that nothing short of the infinite could grasp and comprehend the details that result. By way of further illustration of overlapping authority, six commissions, forty boards, and four other departments exercise supervision over state institutions for defectives and other dependents. The names and titles, as has been shown, give no indication of the functions of departments or officers. The superintendent of public buildings is "the janitor of the state capitol"; other public buildings being under the supervision of other officials. There are two separate schools of forestry conducted without coördination. There are nine schools of agriculture under no common control. There are two schools of veterinary education competing against each other for appropriations and development.

It is manifest that the governor does not govern, that he cannot govern, however serious his intention to do so may be; that the

<sup>8</sup> See appended Chart V.

<sup>9</sup> See appended Charts II, III, IV.

constitution and statutes were drawn with the clear intent that he should not govern. Since the affairs are not under his control, who is responsible for them? The Invisible Government has twice been referred to above. What is meant by the Invisible Government? Unless something more definite may be said about it than that it is invisible, the reader may justly be skeptical about its existence, and may attribute responsibility for the anarchy which prevails in the government of New York to nothing more serious than the mismanagement which in some minds is always associated with self-government.

In contrast then to the condition of the official and legal side of the state government, let us turn our attention to the extra-legal and unofficial side of it. In doing so we are brought up sharply before a system in direct contrast to all that we have found in the legal organization. Here is leadership, here is a directing will, here is organization in such perfection that it is commonly spoken of as "the organization," "the machine," and these terms are descriptive. It is not elective, it takes no oath of office, it is unknown to the law or the constitution; yet its works are manifest in all parts of the government, its hand guides every public act. To the private citizen, it seems to stand silent, inscrutable, dominating, beside the monster it has created, directing each movement of its life.

But one must be concrete. In the state there are two highly developed political parties. In these parties there are no loose ends, no irresponsible agents, no scattered bureaus and commissions. From the head downward, authority is clearly defined, obedience is punctiliously exacted; the hierarchy is closely interlinked, complete, effective.

The purpose of each organization is to control the affairs of the state. At the head of each of these parties there has generally been a man of great intellectual power and imperious will. Picture an army as compact and obedient as a Prussian army corps; think of it determining to dominate 150 small bodies of amateur troops. Such is the relation between the public administration of the State of New York and the parties which alternately control the administration. The minor officials know where the seat of power is. They know perfectly well who placed them in office and who will keep them there. They observe the directions taken by the wires which lead to the real master. It is easy to picture the President



of the United States becoming the leader of his party and taking away the control of public affairs from the unofficial chieftains, since all public officials must look to him for their success, their very tenure of office. But the governor has no power over the 150 state departments. He is but a temporary visitor. The party leader is permanent, masterful, ready and able to reward or punish on the instant. Of course only the most superficial observer will suppose that many of the seemingly elective officials are really elected. The careful observer knows that the citizen who goes through the form of electing minor officials does not know, a week after the election, the name of the persons for whom he has voted; does not know even the functions of the offices filled by them. He will vote for a particular candidate for attorney-general just as readily as he will vote for him for comptroller, and no more so. If the names on the ballot were shifted about just before election, the average citizen would place his marks on the ballot just as if no shifting had occurred. The party selects all minor candidates who are, in theory, elected. This is no longer a matter of opinion; it has been proven to be a fact over and over again. Furthermore, only the superficial will claim that the governor appoints many of the minor officials. In theory, he does; in fact, the "Organization" selects them. In the first place it would be manifestly impossible for the governor to assess all these petty offices and candidates; in the second, he is himself generally nominated and placed in office by a party with which he is in harmony, and with which, it is reasonable to assume, he is going to "coöperate." He is but a member of a party at the head of which stands a powerful and willful leader who really determines the policies and practices of the administration for which the governor is too often in the public mind held accountable.

The question is frequently put, "If the governor is but a party man, and is willing to do so nearly what the boss wishes, what advantage can result from giving to him the power of appointment and removal? The party leader will control in the end in any event." The answer to this question lies in the fact that any man is a better servant when placed in a position of responsibility than when acting not as governor but as a private leader of a party. The administration of the public affairs of a state would be more efficient if the party leader were elected governor, than as it is when he is permitted to wield the power while another and weaker

man bears the responsibility. Reform must do one of two things: either it must arrange to give the man who has the power also the responsibility by making him governor and permitting him to appoint his subordinates; or it must give the man elected governor power to control public affairs through appointment and removal in order that the real responsibility may rest on his shoulders. The object of this paper is not to show that governors are good men handicapped by disorganization and that party leaders are bad men. Such is not the fact. The party leader is frequently as good a man as the governor in most elements that make for manhood. The purpose is to plead that responsibility and power be joined together and that the man holding both be set up at the head of our public administration and be given an opportunity to make good.

Such reorganization would start with reducing the 15,000 civil servants in the 150 departments to order by a systematic classification of functions, a grouping together of those which belong together, and placing each group under a department head. It would continue by placing this department head under the direction of the governor as his political aid, in order that the citizen may say to the governor, "such and such an abuse exists in this bureau of this department. We hold you responsible for its correction or for the removal of the department head who permits it." Even the permanent civil servants would then assume a different attitude toward efficiency.<sup>10</sup> Instead of looking to a party organization, the chief object of which is party success, for encouragement and support, they would look to a governor, whose future career depends upon securing efficient service, whose self-respect and whose every other higher instinct must prompt a demand for better work.

As a possible basis for organizing the government of New York

<sup>10</sup> The writer expressly disclaims any reflection against the honesty or industry of public servants. After many years of observation he is convinced that they are as efficient as are private persons or the servants of corporations in similar circumstances of confusion, disorganization, absence of responsibility, and general neglect. The average public servant works far more intelligently and faithfully than the average citizen votes. The citizen who is loudest in denunciation of public inefficiency is generally the most ignorant of his own public duties and the most neglectful of those with which he happens to have some slight acquaintance.

State the following list of ten administrative departments has been proposed <sup>11</sup>:

Department of State;  
Department of Justice;  
Department of Finance;  
Department of Education;  
Department of Commerce and Labor;  
Department of Corporate Control;  
Department of Agriculture;  
Department of Public Works <sup>12</sup>;  
Department of Charities and Corrections <sup>13</sup>;  
Department of Public Safety.

Whether the list contain ten or twelve departments is not vital. Whether precisely this classification be followed is not essential. What is important is that the many phases of the work of the state be organized into bureaus and divisions under a small enough number of departments to make them comprehensible; that these departments be placed under the direction of responsible heads; that these heads in order that they may be responsible be made appointive and removable by the governor without the interference of a log-rolling senate; and that the governor be given a term long enough to make it possible for him to formulate and execute policies in the public interest. Then would power and responsibility be united; then the Invisible Government would cease to be, for government would become apparent to the eye of any intelligent citizen. The officer whom we now hold responsible would then actually be responsible for the reins of power would be in his hands.

<sup>11</sup> By Professor Beard in his *American Government*, pp. 506-507, where he discusses with approval Mr. F. H. White's proposals which are to be found in *The Political Science Quarterly*, 1903, Vol. XVIII, p. 655.

<sup>12</sup> For a long list of the present irresponsible organs which would be placed in directed coöperation under this department see *An Appraisal*, pp. 129-139.

<sup>13</sup> *Supra*, pp. 145-158.

ELECTORATE  
OF THE  
STATE OF NEW YORK



**KEY TO CHART L—SHOWING THE DIFFERENT METHODS OF APPOINTMENT PRESCRIBED BY LAW, ROMAN NUMERALS BEING USED FOR PURPOSES OF REFERENCE TO CHART ON OPPOSITE PAGE.**

**APPTD. JOINT LEGISLATURE;**

- I.**—1—Am. Scenic and Hist. Preserv. Soc.  
2—New York State Hist. Assn.  
3—German-American Alliance  
4—Comm. Daughters Am. Rev. N. Y. State  
5—Mahenawasigh Chapter D. A. R.  
6—Mt. McGregor Memorial Assn.  
7—Johnstown Hist. Soc.

Seven organizations are designated by joint legislature as custodians of historic sites. The personnel of the organizations is self-perpetuating.

- II.**—1—Bd. Statutory Consolidation  
2—Bd. Regents (Ed. Dept.)

**APPTD. PART JOINT LEGIS., P'T EX-OFF.**

- III.**—1—Bd. Trust. Inst. Study Malig. Dis.

**APPTD. GOV., ASSEMBLY SENATE**

- IV.**—1—Commn. Investigate Housing, Cities 2d Cl.  
2—N. Y. State Factory Investigat. Commn.  
3—Panama-Pacific Exp. Commn.  
4—Treaty Ghent Commn.

**APPTD. JOINT LEGIS., APRVD. BY GOV.**

- V.**—1—Curtis Monument Commn.  
2—Irish Brigades Monument Commn.

**APPTD. GOV. W. ADV. & CONS. SEN.**

- VI.**—1—State Supt. Elections  
2—State Supt. Wgt. and Meas.  
3—Fiscal Supervisor State Char.  
4—Militia (Maj. Gen.)  
**VII.**—1—Bd. Claims  
2—Bd. Tax Commn.  
3—State Bd. Port Wardens  
4—Bd. Trust. State Agr. Exp. Sta. (Geneva)  
5—State Bd. Public Char.  
6—Bd. Mgrs. Reform. (Elmira).  
7—Bd. Mgrs. East. N. Y. Reform. (Mapanoch)  
8—Bd. Mgrs. Agr. and Indust. Sch. (Industry)  
9—Bd. Mgrs. West. Home Refuge Women (Albion)  
10—Bd. Mgrs. Reform., Women (Bedford)  
11—Bd. Mgrs. Training Sch. Girls (Hudson)  
12—Bd. Mgrs. Indust. Farm Colony (Green Haven)  
13—Bd. Mgrs. Train. Sch. Boys (Yorktown H'ghts)  
14—Bd. Mgrs. Reform., Misdemeanants  
15—Bd. Mgrs. Rome Cust. Asy.  
16—Bd. Mgrs. Cust. Asy. F'bl'm'd Women (Newark)  
17—Bd. Mgrs. Letchworth Village (Thiells)  
18—Bd. Mgrs. inst. F'bl'm'd Children  
19—Bd. Mgrs. Craig Colony Epileptics (Soneya)  
20—Bd. Mgrs. Hosp. Care Crippled Children  
21—Bd. Mgrs. School for Blind (Batavia)  
22—Bd. Mgrs. Hosp. Tr'm't Incip. Tuberc. (Ray Brook)  
23—Bd. Mgrs. Women's Relief Corps Home (Oxford)  
24—Bd. Mgrs. Thomas Indian Sch. (Iroquois)  
25—Bd. Mgrs. Utica State Hosp.  
26—Bd. Mgrs. Willard State Hosp.  
27—Bd. Mgrs. Hudson River Hosp.  
28—Bd. Mgrs. Middletown State Homeo. Hosp.  
29—Bd. Mgrs. Buffalo State Hosp.  
30—Bd. Mgrs. Binghamton State Hosp.  
31—Bd. Mgrs. St. Lawrence State Hosp.  
32—Bd. Mgrs. Rochester State Hosp.  
33—Bd. Mgrs. Gowanda State Homeo. Hosp.  
34—Bd. Mgrs. Mohansic State Hosp.  
35—Bd. Mgrs. Long Island State Hosp.  
36—Bd. Mgrs. Kings Park State Hosp.  
37—Bd. Mgrs. Manhattan State Hosp.  
38—Bd. Mgrs. Central Islip State Hosp.  
39—Bd. Trust. Washington Headq'trs (Newburgh)

**VIII.**—1—Dept. Efficiency and Economy

- 2—Banking Dept.  
3—Insurance Dept.  
4—Dept. Excise  
5—State Dept. Health  
6—Health Officer Port N. Y.  
7—Dept. Labor  
8—Dept. State Fire Marshal  
9—Dept. Agriculture  
10—Prison Dept.  
11—Dept. Arch.  
12—Dept. Public Works  
13—Dept. Highways

**IX.**—1—Sing Sing Prison

- 2—Auburn Prison  
3—Clinton Prison  
4—Great Meadow Prison  
5—State Farm. Women (Valatie)  
6—Dannemora State Hosp. Insane Conv.  
7—Mattenawan State Hosp. Insane Crim.

- X.**—1—Saratoga Springs State Res. Commn.  
2—Fire Island State Park Commn.  
3—Watkins Glen Reservation Commn.  
4—Palisades Interstate Park Commn.  
5—Commn. Prom. Uniformity Legis. U. S.  
6—State Civil Service Commn.  
7—Pub. Serv. Commn. (1st Dist.)  
8—Pub. Serv. Commn. (2d Dist.)  
9—State Commn. Prisons  
10—Bronx Parkway Commn.  
11—Conservation Dept. (Commn.)  
12—Commn. State Reserv. (Niagara)  
13—Newton Battlefield Commn.  
14—State Hosp. Commn.

**XI.**—1—Dir. Psychiatric Inst.

**APPTD. P'T GOV., ASSEMB., SEN., P'T EX-OFF.**

- XII.**—1—Perry Victory Centennial Commn.

**APPTD. P'T GOV., ADV. CONS. SEN., P'T EX-OFF.**

- XIII.**—1—Bd. Trust. State Sch. Ag. (Morrisville)  
2—Bd. Cont. State Sch. Ag. Dom. Se. (Delhi)  
3—Bd. Parole State Prisons  
4—Bd. Trust. Soldiers, Sailors Home (Bath)

**XIV.**—1—Workmen's Compensation Commn.

**APPTD. P'T GOV., MAYOR N. Y., P'T EX-OFF.**

- XV.**—1—N. Y. Bridge and Tunnel Commn.

**APPTD. GOV. ALONE**

- XVI.**—1—Commissioner to Index Session Laws  
2—Commn. Fed. Legis. Alien Inneane  
3—Commn. Invest. Port Cond., N. Y. Harbor  
4—Voting Machine Commn.  
5—State Racing Commn.  
6—N. Y. State Athletic Commn.  
7—Commn. for Blind  
8—Commn. Invest. Prov. Mentally Def.  
9—Ketchum Memorial Commn.

**XVII.**—1—Bd. Embalming Examiners

- 2—Bd. Exam. F'bl'm'd, Crim., Other Def.  
3—Bd. Trust. Schuyler Mansion

**XVIII.**—1—Miscellaneous Reporter  
2—Harbor Masters  
3—Spec. Exam. and Apprais. Canal Lands

**APPTD. P'T GOV., STATE BD. CHAR., PRIS. COMMN., P'T EX-OFF.**

- XIX.**—1—State Probation Commn.

**APPTD. P'T GOV., P'T EX-OFFICIO**

- XX.**—1—Bd. Trust. State Sch. Agr. (L. I.)  
2—Bd. Trust. Coll. Forestry (Syracuse)  
3—Advis. Bd. Prom. Agr.  
4—Bd. Trust. Schoharie State Sch. Agr.  
5—Bd. Gov. State Nautical Sch.  
6—State Bd. Geographic Names  
**XXI.**—1—Const. Conv. Commn.  
2—Commn. Revise. Codify Law Laws  
3—N. Y. State Fair Commn.  
4—N. Y. Mon. Commn. Gettysburg, Chatt. Antietam  
5—25th N. Y. Vol. Cav. Mon. Commn.

**APPTD. FISC. SUPVSR.: SUPT. AS CH'RM'N, CH'RM'N APPTS. 2 ST'WDS: ANNUAL M'T'G SUPTS. APPTS. 3 OWN NO.**

- XXII.**—1—Joint Pur. Comm. Char. Inst.

**WHOLLY EX-OFFICIO**

- XXIII.**—1—Bd. Estimate  
2—State Printing Bd.  
3—State Bd. Canvassers  
4—State Bd. Equalization  
5—State Bd. Classification  
6—Bd. Retirement State Hosp. Emp.  
7—Canal Bd.  
8—Trust. Pub. Bldgs. (Bd.)

**XXIV.**—1—Salary Class. Commn.

- 2—Bldg. Improvement Commn.  
3—Commn. Sites, Grounds, Bldgs.  
4—Commissioners Canal Fund  
5—Commissioners Land Office  
6—Battleship New York Silver Serv. Commn.

**XXV.**—1—Cust. Saratoga Monument

- XXVI.**—1—Dept. Pub. Bldgs. (Supt.)

**SELF-PERPETUATING IN P'T (NON-STATE OFF.), P'T EX-OFF.**

- XXVII.**—1—Bd. Mgrs. Soc. Ref. Juv. Del. N. Y. (Randall's Is.)

**APPOINTED BY COURT OF APPEALS**

- XXVIII.**—1—State Bd. Law Examiners

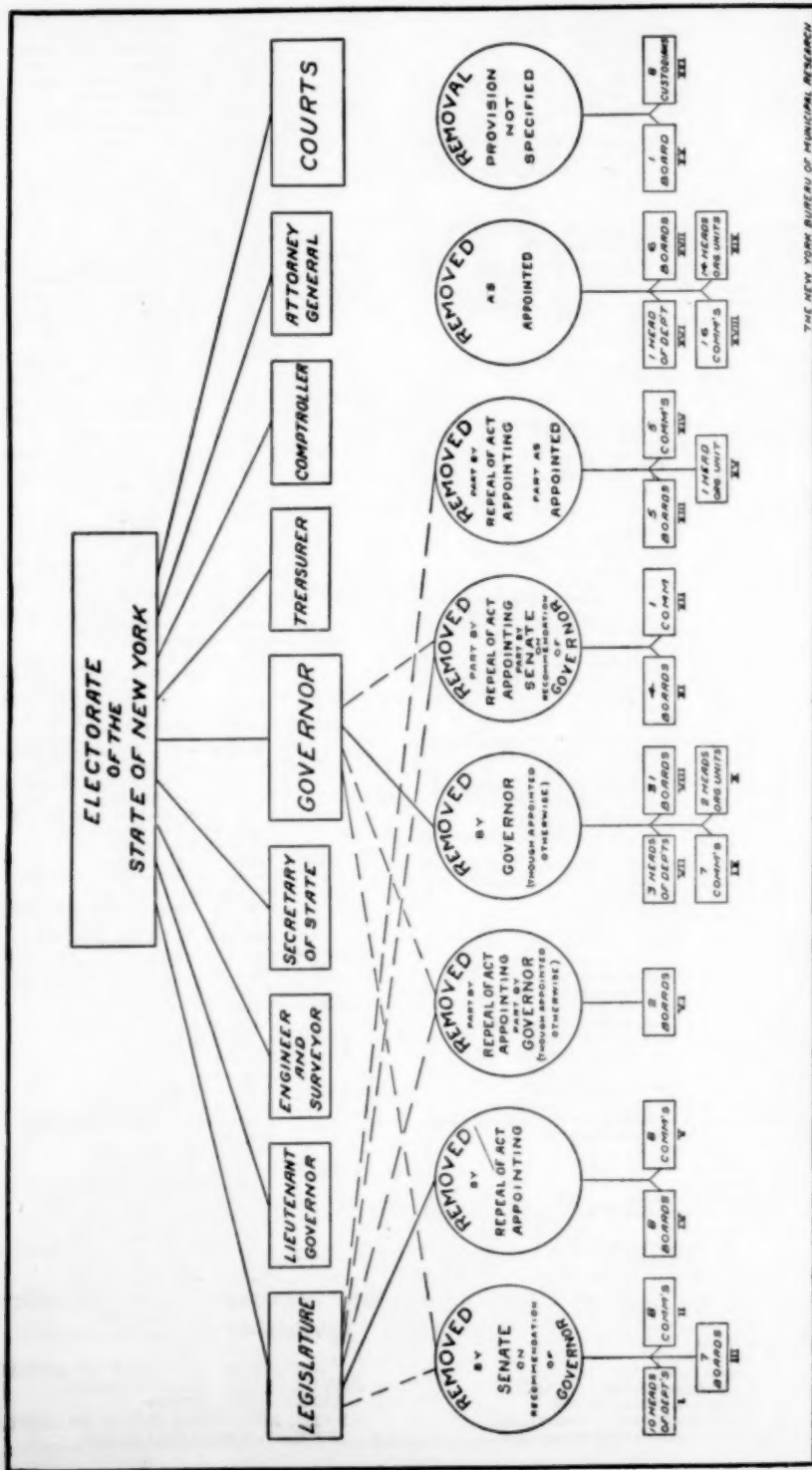
- XXIX.**—1—State Reporter

**APPTD. APPELLATE DIV. SUPREME COURT**

- XXX.**—1—Supreme Court Reporter



CHART II



**KEY TO CHART II.—SHOWING THE DIFFERENT METHODS OF REMOVAL PRESCRIBED BY LAW, ROMAN NUMERALS BEING USED FOR REFERENCE TO CHART ON OPPOSITE PAGE.**

**REMOVED SEN. RECOMMEND. GOV.**

- I  
1—Dept. Efficiency and Economy  
2—Banking Dept.  
3—Insurance Dept.  
4—Dept. Excise  
5—State Dept. Health  
6—Health Officer Port N. Y.  
7—Dept. Labor  
8—Dept. State Fire Marshal  
9—Dept. Agriculture  
10—Dept. Architecture

- II  
1—Saratoga Springs State Reserv. Commn.  
2—Watkins Glen Reserv. Commn.  
3—Palisades Inter-State Park Commn.  
4—Commn. Prom. Uniformity Legis. U. S.  
5—State Civil Service Commn.  
6—Commn. State Reserv. (Niagara)  
7—Newtown Battlefield Commn.  
8—State Hospital Commn.

- III  
1—Bd. Claims  
2—Bd. Tax Commn.  
3—Bd. Mgrs. Reform. (Elmira)  
4—Bd. Mgrs. East N. Y. Reform. (Napanoch)  
5—Bd. Mgrs. Agr. and Indust. Sch. (Industry)  
6—Bd. Mgrs. School for Blind (Batavia)  
7—Bd. Trust. Washington's Hdqtrs. (Newburgh)  
7—Bd. Trust. Coll. of Forestry (Syracuse)

**REMOVED BY REPEAL OF ACT APPTD.**

- IV  
1—Bd. Estimate  
2—State Print. Bd.  
3—State Bd. Canvassers  
4—State Bd. Equalization  
5—State Bd. Classification  
6—Bd. Retirement State Hosp. Employees  
7—Canal Bd.  
8—Trustees Public Bldgs. (Bd.)

- V  
1—Curtis Monument Commn.  
2—Irish Brigades Monument Commn.  
3—Salary Classification Commn.  
4—Building Improvement Commn.  
5—Commn. Sites, Grounds, Bldg.  
6—Commn. Canal Fund  
7—Commn. Land Office  
8—BattleShip New York Silver Serv. Commn.

**RMVD. P'T REPEAL ACT APPTD. P'T GOV.  
(THO. APPTD. OTHERWISE)**

- VI  
1—Bd. Gov. State Nautical Sch.  
2—Bd. Mgrs. Soc. Ref. Juv. Del. N.Y.C. (Randall's Is.)

**REMOVED GOV. (THOUGH APPTD. OTHERWISE)**

- VII  
1—Prison Dept.  
2—Dept. Public Works  
3—Dept. Highways

- VIII  
1—State Bd. Port Wardens  
2—State Bd. Pub. Charities  
3—Bd. Mgrs. West. Home Refuge Women (Albion)  
4—Bd. Mgrs. Reform. Women (Bedford)  
5—Bd. Mgrs. Train. Sch. Girls (Hudson)  
6—Bd. Mgrs. Indust. Farm Colony (Green Haven)  
7—Bd. Mgrs. Train. Sch. Boys (Yorktown H'ghts)  
8—Bd. Mgrs. Reform. Misdemeanants  
9—Bd. Mgrs. Rome Cust. Asy.  
10—Bd. Mgrs. Cust. Asy. F'bl'm'd. Women (Newark)  
11—Bd. Mgrs. Letchworth Village (Thiells)  
12—Bd. Mgrs. Syr. Inst. F'bl'm'd. Children  
13—Bd. Mgrs. Craig Colony Epileptics (Soneya)  
14—Bd. Mgrs. Hosp. Care Crippled Children  
15—Bd. Mgrs. Hosp. Treatment Incep. Tuberc.  
16—Bd. Mgrs. Women's Relief Corps Home (Oxford)  
17—Bd. Mgrs. Thomas Indian Sch. (Iroquois)  
18—Bd. Mgrs. Utica State Hosp.  
19—Bd. Mgrs. Willard State Hosp.  
20—Bd. Mgrs. Hudson River State Hosp.  
21—Bd. Mgrs. Middletown State Homeo. Hosp.  
22—Bd. Mgrs. Buffalo State Hosp.  
23—Bd. Mgrs. Binghamton State Hosp.  
24—Bd. Mgrs. St. Lawrence State Hosp.  
25—Bd. Mgrs. Rochester State Hosp.  
26—Bd. Mgrs. Gowanda State Homeo. Hosp.  
27—Bd. Mgrs. Mohansic State Hosp.  
28—Bd. Mgrs. Long Island State Hosp.  
29—Bd. Mgrs. Kings Park State Hosp.  
30—Bd. Mgrs. Manhattan State Hosp.  
31—Bd. Mgrs. Central Islip State Hosp.

- IX  
1—Commn. Investigate Housing Cities 2d Cl.  
2—Fire Island State Park Commn.  
3—Public Service Commn. (1st Dist.)  
4—Public Service Commn. (2d Dist.)  
5—State Commn. Prisons  
6—Conservation Dept. (Commn.)  
7—Joint Pur. Comm. Char. Inst.

**RMVD. P'T RPL. ACT APPTG. P'T SEN. REC.  
GOV.**

- XI  
1—Bd. Trust. State Sch. Agr. (Morrisville)  
2—Bd. Control State Sch. Agr. Dom. Sc. (Delhi)  
3—Bd. Parole State Prisons  
4—Bd. Trust. Soldiers and Sailors Home (Bath)

**REMOVED P'T REPEAL ACT APPTG. P'T AS  
APPTD.**

- XII  
1—N. Y. State Fair Commn.  
XIII  
1—Bd. Trust. Inst. Study Malignant Diseases  
2—Bd. Trust. State Agr. Exp. Sta. (Geneva)  
3—Advis. Bd. Promotion Agr.  
4—Bd. Trust. Scholastic State Sch. Agr.  
5—State Bd. Geographic Names

**REMOVED AS APPOINTED**

- XIV  
1—N. Y. State Factory Investigating Commn.  
2—Perry Victory Centennial Commn.  
3—N. Y. Monum't Comm. Gettysb'g, Chatt., Antietam  
4—N. Y. Bridge and Tunnel Commn.  
5—State Probation Commn.  
XV  
1—Militia (Maj. Gen.)  
XVI  
1—Dept. Pub. Bldgs. (Supt.)  
XVII  
1—Bd. Statutory Consolidation  
2—Bd. Embalming Examiners  
3—Bd. Exam. Feeble-minded, Criminal, other Def.  
4—Bd. Trust. Schuyler Mansion  
5—Bd. Trust. State Sch. Agr. (Long Island)  
6—State Bd. Law Examiners

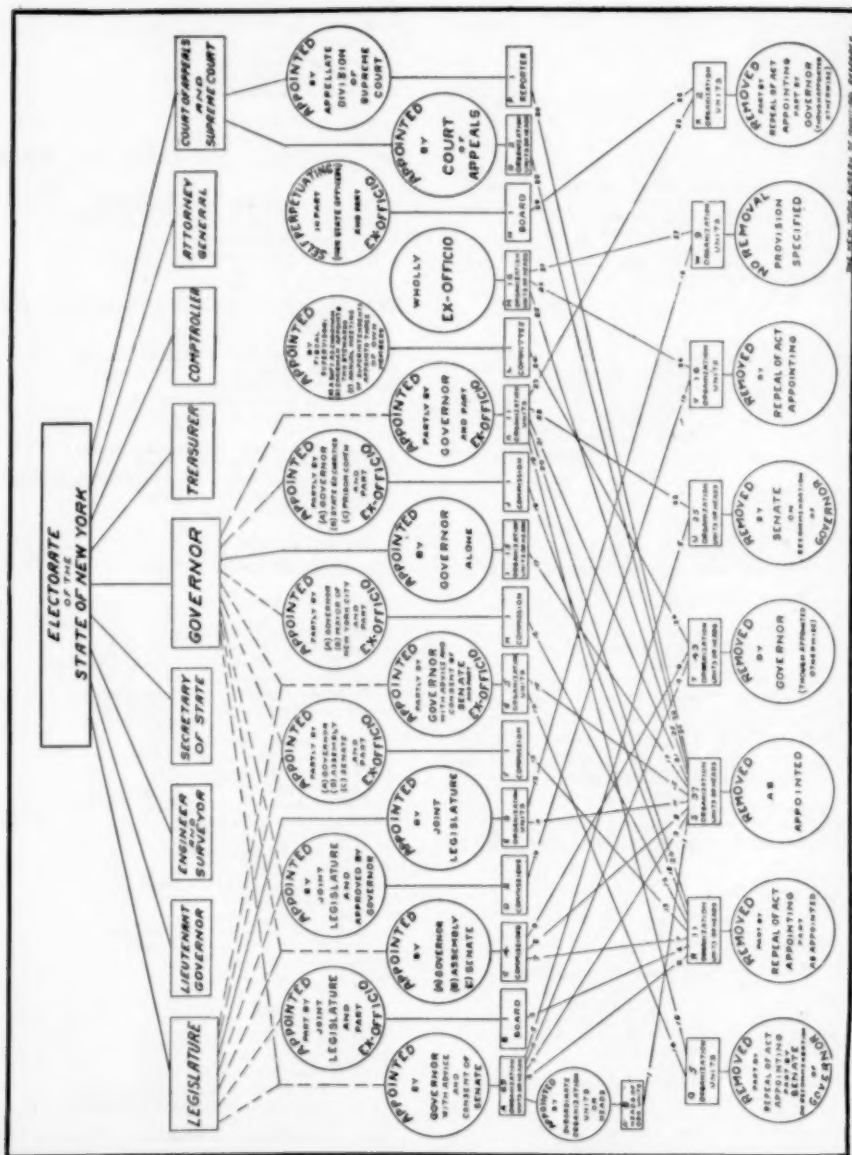
- XVIII  
1—Bronx Parkway Commn.  
2—Workmen's Compensation Commn.  
3—Commn. Index Session Laws  
4—Commn. Fed. Legis. Alien Inmate  
5—Commn. Invest. Port Cond. N. Y. Harbor  
6—Voting Machine Commn.  
7—State Racing Commn.  
8—N. Y. State Athletic Commn.  
9—Commn. for Blind  
10—Commn. Investigate Prov. Ment. Def.  
11—Ketchum Memorial Commn.  
12—Const. Conv. Commn.  
13—Commn. Revise and Codify Tax Laws  
14—25th N. Y. Vol. Cav. Mon. Commn.  
15—Panama-Pacific Exp. Commn.  
16—Treaty Ghent Commn.

- XIX  
1—Sing Sing Prison  
2—Auburn Prison  
3—Clinton Prison  
4—Great Meadow Prison  
5—State Farm. Women (Valatie)  
6—Dannemora State Hosp. Insane Convicts  
7—Matteawan State Hosp. Insane Criminals  
8—Dir. Psychiatric Inst.  
9—State Supt. Wgts. and Meas.  
10—Miscellaneous Reporter  
11—Harbor Masters  
12—Spel. Examiner, Appraiser Canal Lands  
13—State Reporter  
14—Supreme Court Reporter

**REMOVAL PROVISION NOT SPECIFIED**

- XX  
1—Bd. Regents (Ed. Dept.)  
XXI  
1—Am. Scenic and Hist. Preserv. Soc.  
2—N. Y. State Hist. Assn.  
3—German-American Alliance  
4—Commn. D. A. R., N. Y. State  
5—Mahewasawagh Chapter D. A. R.  
6—Mt. McGregor Memorial Assn.  
7—Johnstown Hist. Soc.  
8—Custodian Saratoga Monument

CHART III



KEY TO CHART III.—SHOWING LACK OF CORRESPONDENCE BETWEEN APPOINTMENT AND REMOVAL. THE HEAVY FACED NUMBERS REFER TO LINES ON CHART ABOVE.

APPTD. BY SUB. ORG. UNITS OR HEADS

1—Removed as appointed

- 1—Sing Sing Prison
- 2—Auburn Prison
- 3—Clinton Prison
- 4—Great Meadow Prison
- 5—State Farm Women (Valatie)
- 6—Dannemora State Hosp. Insane Conv.
- 7—Matthewwan State Hosp. Insane Crim.
- 8—Dir. Psychiatric Inst.

APPTD. GOV. W. ADV. & CONS. SEN.

2—Removed p't by r/p'l act apptg. p't as apptd.

- 1—Dept. Efficiency and Economy
- 2—Banking Dept.
- 3—Insurance Dept.
- 4—Dept. Excise
- 5—State Dept. Health
- 6—Health Officer Port of N. Y.
- 7—Dept. Labor
- 8—Dept. State Fire Marshal

- 9—Dept. Agriculture
- 10—Dept. Architecture
- 11—Saratoga Springs State Reserv. Commn.
- 12—Watkins Glen Reserv. Commn.
- 13—Palisades Interstate Pk. Commn.
- 14—Commn. Prom. Uniformity Legis. U. S.
- 15—State Civil Service Commn.
- 16—Commn. State Reserv. (Niagara)
- 17—Newtown Battlefield Commn.
- 18—State Hosp. Commn.
- 19—Bd. Claims
- 20—Bd. Tax Commissioners
- 21—Bd. Mgrs. Reformatory (Elmira)
- 22—Bd. Mgrs. East N. Y. Reform. (Napanoch)
- 23—Bd. Mgrs. Agr. and Industr. Sch. (Industry)
- 24—Bd. Mgrs. Sch. Blind (Batavia)
- 25—Bd. Trust. Washington Hdqrs. (Newburgh)
- 3—Removed as appointed
  - 1—Prison Dept.
  - 2—Dept. Public Works
  - 3—Dept. Highways
  - 4—Fire Island State Park Commn.
  - 5—Public Service Commn. (1st Dist.)
  - 6—Public Service Commn. (2d Dist.)
  - 7—State Commn. Prisons
  - 8—Conservation Dept. (Commn.)
  - 9—State Bd. Port Wardens
  - 10—State Bd. Public Charities
  - 11—Bd. Mgrs. West. Home Refuge Women (Albion)
  - 12—Bd. Mgrs. Reform. Women (Bedford)
  - 13—Bd. Mgrs. Train. Sch. Girls (Hudson)
  - 14—Bd. Mgrs. Indust. Farm Colony (Green Haven)
  - 15—Bd. Mgrs. Train. School Boys (Yorkt'n H'ghs)
  - 16—Bd. Mgrs. Reform. Misdemeanants
  - 17—Bd. Mgrs. Rome Cust. Asy.
  - 18—Bd. Mgrs. Cust. Asy. F'b'l m'd Women (Newark)
  - 19—Bd. Mgrs. Letchworth Village (Tidells)
  - 20—Bd. Mgrs. Inst. F'b'l m'd Children
  - 21—Bd. Mgrs. Craig Colony Epileptics (Soneya)
  - 22—Bd. Mgrs. Hosp. Care Crippled Children
  - 23—Bd. Mgrs. Hosp. Trust. Incip. Tuberc.
  - 24—Bd. Mgrs. Women's Relief Corps Home (Oxford)
  - 25—Bd. Mgrs. Thomas Indian Sch. (Iroquois)
  - 26—Bd. Mgrs. Utica State Hosp.
  - 27—Bd. Mgrs. Willard State Hosp.
  - 28—Bd. Mgrs. Hudson River State Hosp.
  - 29—Bd. Mgrs. Middletown Homeo. State Hosp.
  - 30—Bd. Mgrs. Buffalo State Hosp.
  - 31—Bd. Mgrs. Binghamton State Hosp.
  - 32—Bd. Mgrs. St. Lawrence State Hosp.
  - 33—Bd. Mgrs. Rochester State Hosp.
  - 34—Bd. Mgrs. Gowanda State Homeo. Hosp.
  - 35—Bd. Mgrs. Mohansie State Hosp.
  - 36—Bd. Mgrs. Long Island State Hosp.
  - 37—Bd. Mgrs. Kings Park State Hosp.
  - 38—Bd. Mgrs. Manhattan State Hosp.
  - 39—Bd. Mgrs. Central Islip State Hosp.
  - 40—State Supt. Elections
  - 41—Fiscal Super. visor State Char.
- 4—Rmvd. gov. (tho. apptd. otherwise)
  - 1—Militia (Maj. Gen.)
  - 2—Bd. Trust. State Agr. Exp. Sta. (L. I.)
- 5—Rmvd. sen. rec. gov.
  - 1—Bronx Parkway Commn.
  - 2—State Supt. Weights and Meas.
- APPTD. P'T JOINT LEGIS., P'T EX-OFF.
- 6—Rmvd. p't r'p'l act apptg. p't as apptd.
  - 1—Bd. Trust. Inst. Study Malig. Dis.
- APPTD. GOV., ASSEMB., SEN.
- 7—Rmvd. p't by r'p'l act apptg. p't as apptd.
  - 1—Commn. Invest. Housing Cond. Cities 2d Cl.
- 8—Removed as appointed
  - 1—N. Y. State Factory Investigating Commn.
- 9—Rmvd. gov. alone (tho. apptd. otherwise)
  - 1—Panama-Pacific Exp. Commn.
  - 2—Treaty Ghent Commn.
- APPTD. JOINT LEGIS. APPR. GOV.
- 10—Rmvd. r'p'l act apptg.
  - 1—Curtis Monument Commn.
  - 2—Irish Brigades Monument Commn.
- APPTD. JOINT LEGIS.
- 11—Removed as appointed
  - 1—Bd. Statutory Consolidation
- 12—No removal provision specified
  - 1—Am. Scenic and Hist. Preserv. Soc.
  - 2—N. Y. State Hist. Assn.
  - 3—German-American Alliance
  - 4—Comm. D. A. R., N. Y. State
  - 5—Mahwahawasigh Chap. D. A. R.
  - 6—Mt. McGregor Memorial Assn.
  - 7—Johnstown Hist. Soc.
  - 8—Bd. Regents (Ed. Dept.)

APPTD. P'T GOV., ASSEMB., SEN., P'T EX-OFF.

13—Rmvd. p't by r'p'l act apptg. p't as apptd.

1—Perry Victory Centennial Commn.

APPTD. P'T GOV. ADV. CONS. SEN. P'T EX-OFF.

14—Rmvd. p't by r'p'l act apptg. p't by sen. on rec.

gov.

- 1—Bd. Trust. State Sch. Agr. (Morrisville)
- 2—Bd. Control State Sch. Agr. and Dom. Sci. (Delhi)
- 3—Bd. Parole State Prisons
- 4—Bd. Trust. Soldiers and Sailors Home (Bath)

15—Removed as appointed

1—Workmen's Compensation Commn.

APPTD. P'T GOV., MAYOR N. Y., P'T EX-OFF.

16—Rmvd. p't r'p'l act apptg. p't as apptd.

1—N. Y. Bridge and Tunnel Commn.

APPTD. GOV. ALONE

17—Removed as appointed

- 1—Voting Machine Commn.
- 2—State Racing Commn.
- 3—N. Y. State Athletic Commn.
- 4—Commn. for Blind
- 5—Commn. Invest. Prov. Mentally Def.
- 6—Ketchum Memorial Commn.
- 7—Commissioner Index Session Laws
- 8—Commn. Fed. Legis. Alien Insane
- 9—Commn. Invest. Port Conditions N. Y. Harbor
- 10—Bd. Embalming Examiners
- 11—Bd. Exam. F'b'l m'd Criminal, Other Def.
- 12—Bd. Trust. (Schuyler Mansion)
- 13—Miscellaneous Reporter
- 14—Harbor Masters
- 15—Spel. Exam. and Appraiser Canal Lands

APPTD. P'T BY GOV., STATE B'D CHAR., PRIS.

COMM. P'T EX-OFF.

18—Rmvd. p't r'p'l act apptg. p't as apptd.

1—State Probation Commn.

APPTD. P'T GOV., P'T EX-OFF.

19—Rmvd. p't r'p'l act apptg. p't sen. rec. gov.

1—Bd. Trust. State Coll. Forestry (Syracuse)

20—Rmvd. p't r'p'l act apptg. p't as apptd.

1—Bd. Gov. State Nautical School

21—Removed as appointed

1—N. Y. State Fair Commn.

22—Rmvd. sen. rec. gov.

- 1—Adv. Bd. Promotion Agr.
- 2—Bd. Trust. Scholastic State Sch. Agr.
- 3—State Bd. Geographic Names
- 4—N. Y. Mon. Comm. Gettysburg Chatt., Antietam

23—Rmvd. p't r'p'l act apptg. p't gov. (tho. apptd. otherwise)

- 1—Bd. Trust. State Sch. Agr. (L. I.)
- 2—Const. Conv. Commn.
- 3—Commn. Revise and Codify Tax Laws
- 4—25th N. Y. Vol. Cav. Monument Commn.

APPTD. FISC. SUPVSR.: SUPT. AS CH'RM'N.

CH'RM'N. APPTS. 3 STWRDS., ANN. MEET.

SUPTS. APPTS. 3 OWN M'BS.

24—Rmvd. gov. (tho. apptd. otherwise)

1—Joint Pur. Comm. Charitable Inst.

WHOLLY EX-OFFICIO

25—Removed as appointed

- 1—Bd. Estimate
- 2—State Printing Bd.
- 3—State Bd. Canvassers
- 4—State Bd. Equalization
- 5—State Bd. Classification
- 6—Bd. Retirement State Hosp. Employees
- 7—Canal Bd.
- 8—Trust. Public Bldgs. (Bd.)
- 9—Salary Classification Commn.
- 10—Building Improvement Commn.
- 11—Commn. Sites, Grounds, Bldgs.
- 12—Commissioners Canal Fund
- 13—Commissioners Land Office
- 14—Battleship "New York" Silver Service Commn.

26—Rmvd. repeal act apptg.

1—Dept. Public Bldgs. (Supt.)

27—No rmvl. prov. specified

1—Custodian Saratoga Monument

SELF-PERPET. P'T (NON-STATE OFF.) P'T EX-OFF.

28—Rmvd. p't r'p'l act apptg. p't gov. (tho. apptd. otherwise)

1—Bd. Mgrs. Soc. Ref. Juv. Del. N. Y. C. (Randall's Is.)

APPOINTED COURT APPEALS

29—Removed as appointed

1—State Bd. Law Examiners

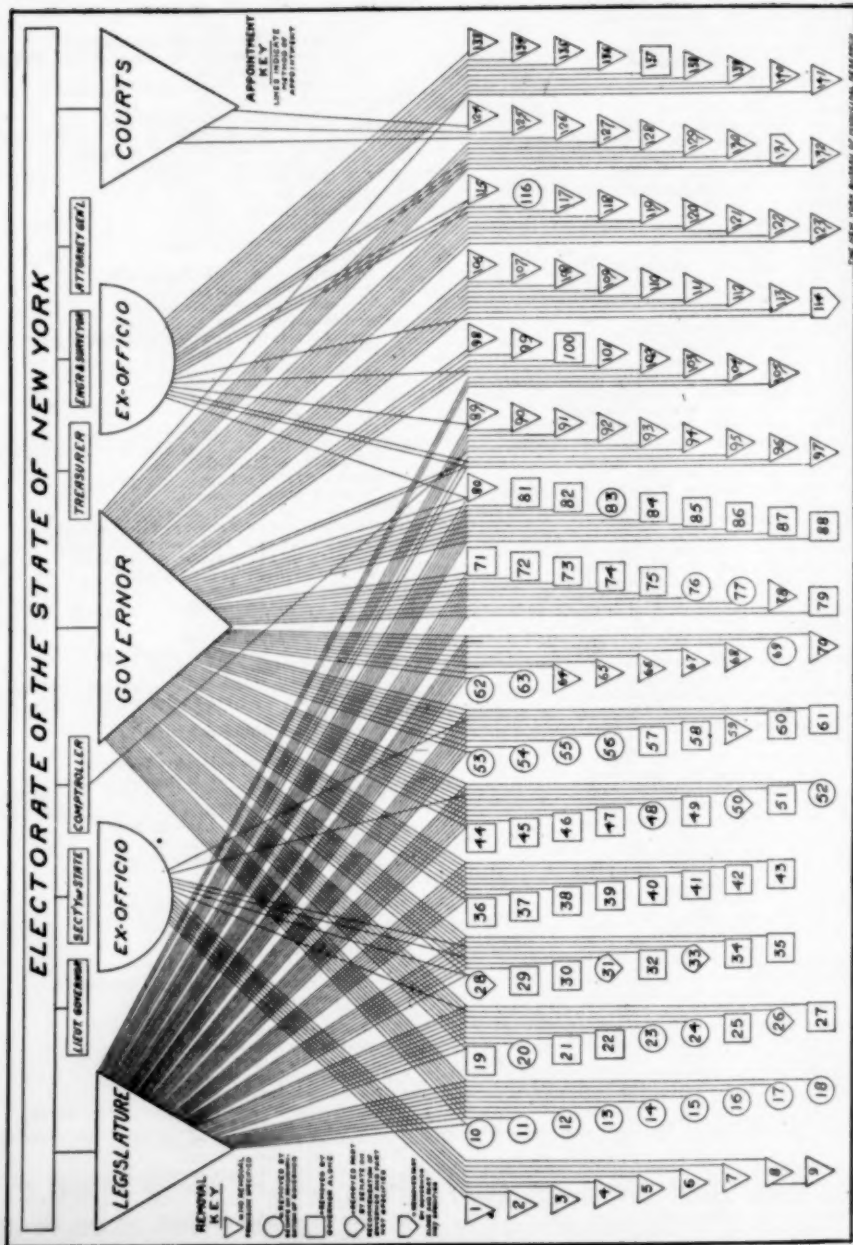
2—State Reporter

APPTD. APPELLATE DIV. SUPREME COURT

30—Removed as appointed

1—Supreme Court Reporter

CHART IV



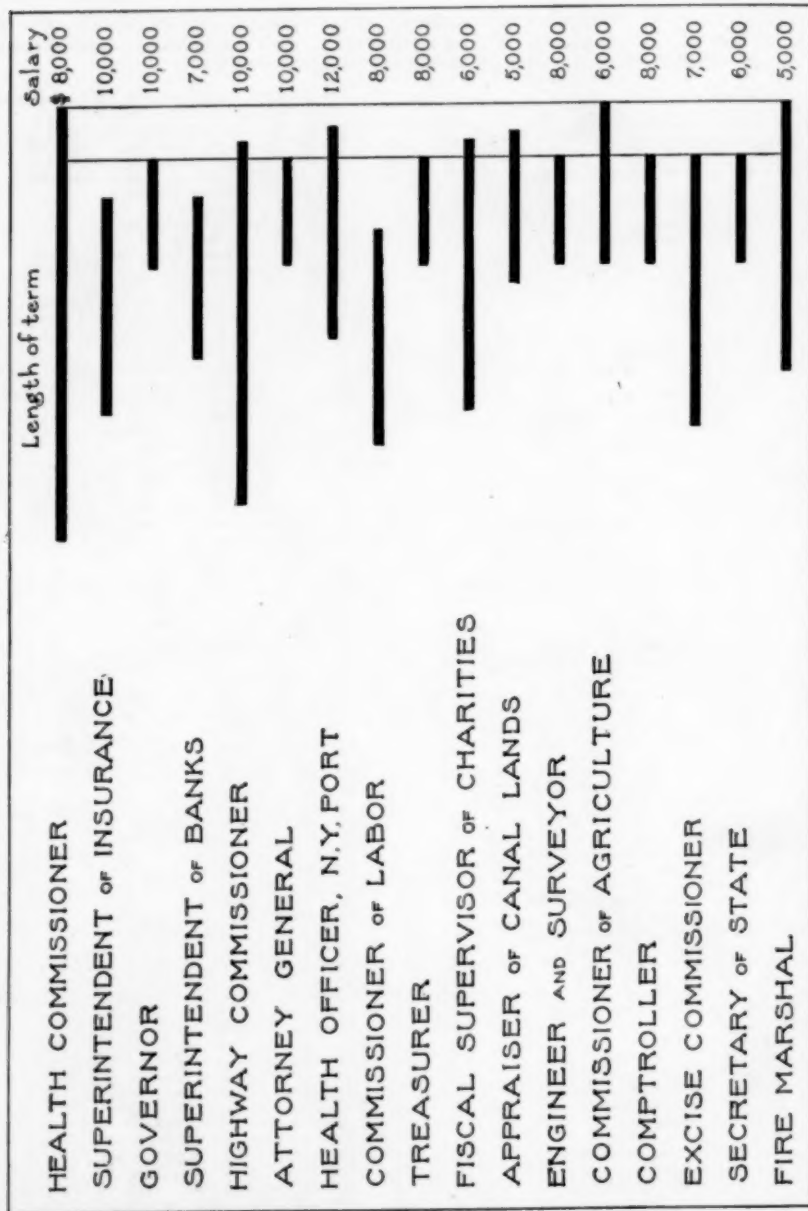


**KEY TO CHART IV.—SHOWING METHODS OF APPOINTMENT AND REMOVAL REGROUPED TO SHOW INTERMINGLING OF RESPONSIBILITY. KEY TO SYMBOLS AND LINES APPEARS ON CHART PAGE 28. NUMBERS REFER TO SAME CHART.**

- 1—Bd. Estimate
- 2—State Printing Bd.
- 3—State Bd. Canvassers
- 4—State Bd. Equalization
- 5—State Bd. Classification
- 6—Bd. Retirement State Hosp. Employees
- 7—Canal Bd.
- 8—Trust. Public Blds.
- 9—Dept. Public Bldgs.
- 10—Dept. Efficiency and Economy
- 11—Banking Dept.
- 12—Insurance Dept.
- 13—Dept. Excise
- 14—State Dept. Health
- 15—Health Officer Port N. Y.
- 16—Dept. Labor
- 17—Dept. State Fire Marshal
- 18—Dept. Agr.
- 19—Prison Dept.
- 20—Dept. Architecture
- 21—Dept. Public Works
- 22—Dept. Highways
- 23—Bd. Claims
- 24—Bd. Tax Commn.
- 25—State Bd. Port Wardens
- 26—Bd. Trust State Sch. Agr. (Morrisville)
- 27—State Bd. Public Char.
- 28—Bd. Const. State Sch. Agr. Dom. Se. (Delhi)
- 29—Bd. Mgrs. Cust. Asy. F'l'm'd Women (Newark)
- 30—Bd. Mgrs. Letchworth Village (Thiells)
- 31—Bd. Trust. Soldiers & Sailors Home (Bath)
- 32—Bd. Trust. Women's Relief Corps Home Oxford
- 33—Bd. Parole State Prisons
- 34—Bd. Mgrs. Utica State Hosp.
- 35—Bd. Mgrs. Willard State Hosp.
- 36—Bd. Mgrs. Hudson River State Hosp.
- 37—Bd. Mgrs. Middletown State Homeo. Hosp.
- 38—Bd. Mgrs. Buffalo State Hosp.
- 39—Bd. Mgrs. Binghamton State Hosp.
- 40—Bd. Mgrs. St. Lawrence State Hosp.
- 41—Bd. Mgrs. Rochester State Hosp.
- 42—Bd. Mgrs. Gowanda State Homeo. Hosp.
- 43—Bd. Mgrs. Mohancic State Hosp.
- 44—Bd. Mgrs. Kings Park State Hosp.
- 45—Bd. Mgrs. Long Island State Hosp.
- 46—Bd. Mgrs. Manhattan State Hosp.
- 47—Bd. Mgrs. Central Islip State Hosp.
- 48—Bd. Trust. Washington Hdqtrs. (Newburgh)
- 49—Commn. Invest. Housing Cond. Cities 2d Cl.
- 50—State Fair Commn.
- 51—Commn. Fire Island State Pk.
- 52—Commn. Saratoga Springs State Reserv.
- 53—State Hosp. Commn.
- 54—Commn. Watkins Glen Reserv.
- 55—Commn. Palisades Interstate Pk.
- 56—State Civil Serv. Commn.
- 57—Pub. Serv. Commn. (1st Dist.)
- 58—Pub. Serv. Commn. (2d Dist.)
- 59—Workmen's Compensation Commn.
- 60—Conserv. Commn.
- 61—State Commn. Prisons
- 62—Newton Battlefield Commn.
- 63—Commn. State Reserv. (Niagara)
- 64—Perry Victory Centennial Commn.
- 65—Panama-Pacific Exp. Commn.
- 66—Treaty Ghent Commn.
- 67—Curtis Monument Commn.
- 68—Irish Brigades Monument Commn.
- 69—Commn. Prom. Unif. Legis. U. S.
- 70—State Supt. Wgts. and Meas.
- 71—Bd. Mgrs. Train. Sch. Boys (Yorktown Hgts.)
- 72—Bd. Mgrs. Indust. Farm Colony (Green Haven)
- 73—Bd. Mgrs. Train. Sch. Girls (Hudson)
- 74—Bd. Mgrs. Reform. Women (Bedford)
- 75—Bd. Mgrs. West. Home Relief Women (Albion)
- 76—Bd. Mgrs. Agr. Indust. Sch. (Industry)
- 77 { Bd. Mgrs. East N. Y. Reform. (Napanoch)  
Bd. Mgrs. Reform. (Elmira)
- 78—Dir. Psychiatric Inst.
- 79—Fiscal Supervisor State Char.
- 80—Const. Conv. Commn.
- 81—Bd. Mgrs. Thomas Indian Sch. (Iroquois)
- 82—Bd. Mgrs. Hosp. Trmt. Incip. Tuberc.
- 83—Bd. Mgrs. School Blind (Batavia)
- 84—Bd. Mgrs. Hosp. Care Crippled Children
- 85—Bd. Mgrs. Craig Colony Epileptics (Sonyea)
- 86—Bd. Mgrs. Inst. F'l'm'd Children
- 87—Bd. Mgrs. Rome Cust. Asy.
- 88—Bd. Mgrs. Reform. Misdemeanants
- 89—Johnstown Memorial Soc.
- 90—Mt. McGregor Memorial Asso.
- 91—Mawenawasigh Chap. D. A. R.
- 92—Commn. D. A. R. N. Y. State.
- 93—German-American Alliance
- 94—Saratoga Monument
- 95—Am. Scenic & Hist. Preserv. Soc.
- 96—N. Y. Bridge & Tunnel Commn.
- 97—Battleship New York Silver Serv. Commn.
- 98—Commissioner Index Session Laws
- 99—Bd. Trust. State Agr. Exp. Sta. (L. I.)
- 100—State Supt. Elections
- 101—Bronx Parkway Commn.
- 102—N. Y. State Factory Invest. Commn.
- 103—Bd. Trust. Inst. Study Malig. Dis.
- 104—Bd. Regents (Ed. Dept.)
- 105—Bd. Statutory Consol.
- 106—Ketchum Memorial Commn.
- 107—Commn. Invest. Prov. Mentally Def.
- 108—Commn. for Blind
- 109—N. Y. State Athletic Commn.
- 110—State Racing Commn.
- 111—Voting Machine Commn.
- 112—Commn. Invest. Port Cond. N. Y. Harbor
- 113—Commn. Fed. Legis. Alien Insane
- 114—Bd. Mgrs. Soc. Reform. Juv. Del. N. Y. C. (Randall's Is.)
- 115—Advis. Bd. Prom. Agt.
- 116—Bd. Trust. State Coll. Forestry (Syracuse)
- 117—Bd. Trust. State Sch. Agr. (L. I.)
- 118—Bd. Trust. Schuyler Mansion
- 119—Bd. Exam. F'l'm'd Criminals, Other Def.
- 120—Bd. Embalming Examiners
- 121—Sp. Exam. & Appraiser Canal Lands
- 122—Harbor Masters
- 123—Minse. Reporter
- 124—State Bd. Law Examiners
- 125—State Reporter
- 126—Supreme Court Reporter
- 127—25th N. Y. Vol. Cav. Mon. Comm.
- 128—N. Y. Mon. Commn. Gettysburg Chatt., Antietam
- 129—Commn. Revise and Codify Tax Laws
- 130—State Bd. Geographic Names
- 131—Bd. Gov. State Nautical Sch.
- 132—Bd. Trust. Scholastic State Sch. Agr.
- 133—N. Y. State Hist. Asso.
- 134—Salary Classification Commn.
- 135—Commissioners Land Office
- 136—Commissioners Canal Fund
- 137—Joint Pur. Comm. Char. Inst.
- 138—Commn. Sites, Grounds, Bldgs.
- 139—Bldg. Improvement Commn.
- 140—Militia (Maj. Gen.)
- 141—State Probation Commn.

CHART V

Showing the importance of the governor's position in the administration by a comparison of the salaries and length of term of a few of the 150 units.—Prepared by Miss H. S. Lowitt



## POLITICS AS A BARRIER TO AN ADEQUATE AND EFFICIENT SYSTEM OF NATIONAL DEFENSE

BY GEORGE HAVEN PUTNAM.<sup>1</sup>

*possible intro.*  
Under the policy maintained by the United States from the beginning of its history, the control of the military and naval resources of the nation has been left with the civil authorities. It is the theory of American government that the decision as to national policy and as to action under such policy, and the general direction of the military and naval forces maintained for the defense of the nation, or for the carrying out of national policy, must rest with the officials selected by the people for the government of the country.

The President who, notwithstanding the form of the electoral college, represents the political choice of the voters of the country, is himself the commander-in-chief of the army and of the navy. The secretary of war and the secretary of the navy, nearly always civilians, serving as members of the Cabinet, are selected by the President and are subject to confirmation by another civil authority, the United States Senate. The amount of the expenditure that is to be incurred from year to year for the maintenance of the army and of the navy, and for constructive work for new forts or for additional vessels, is fixed, in the first place, by a committee in the House of Representatives, whose action is confirmed by the vote of the Senate. The committees fixing these appropriations, through which are determined the effective force of the army and navy, have before them the recommendations of the President, the secretary of war, and the secretary of the navy, and these recommendations are based upon, or are assumed to be based upon, the reports and recommendations submitted by the army boards and navy boards, composed of trained and experienced officers who have been charged with the duty of investigating conditions and of putting into shape the plans for the effective maintenance and development of the army and navy.

*Sub. topics under intro*

<sup>1</sup>The limitations of the space in *The Annals* rendered necessary the omission of certain portions of Mr. Putnam's paper. These omissions are indicated by asterisks.

In no country in the world is the civilian control of army and navy so complete as in the United States, although there is in Great Britain an approximation to the American system. There are but few Americans who would be prepared at this time to raise question concerning the wisdom of this civilian control over the fighting resources of the nation. We recognize that under a system such as has been developed in Germany, where the organization of army and navy is determined by military and naval staffs, acting under the direction of the Emperor, himself a trained soldier, it is possible to secure a very much larger measure of fighting efficiency than can be looked for under our system. It had been known in advance of the present war that under the German system, with the direct Imperial control, and through the organization of efficient staffs by which should be determined the details of organization, the mapping out of the territory of the Empire into army departments and smaller regions controlled by division organizations, a much larger return in the form of fighting efficiency could be secured in proportion to the expenditure required than could ever be looked for under either the American or the English methods, in which Congress or Parliament insists upon retaining in its own hands the authority and the control.

The American citizen, like the Englishman, has been willing to sacrifice fighting efficiency for the sake of the certainty of retaining his citizen's control over national action. Under the conditions obtaining in the twentieth century, Americans must, however, recognize that the United States has reached a point where its fighting efficiency and the organization of the resources back of its fighting force, must be brought into comparison, and possibly in the near future into conflict, with the systems and the organizations of other nations. It becomes necessary, therefore, for us to consider how far it may be practicable without too serious a sacrifice of American theories of representative government, and of citizens' control of the action of such government, to develop an improvement of the methods of organization and of expenditure that have during the past years been accepted or endured.

Americans have the reputation of being a business-like people and of applying common sense and a fair order of intelligence to the management of their undertakings. There may well, therefore, be a feeling of annoyance, if not of mortification, and even of

concern for the future, when we are reminded from time to time that we incur an enormous expenditure for a very small measure of efficiency for fighting, or even for defense. \* \* \* \*

As far back as Revolutionary days, before the shaping of the Constitution had determined the method of control of the national forces, Washington complained through the long seven years of the Revolution, of the lack of intelligence shown by the Congressional committees to whom had been entrusted, or who had assumed for themselves, the direction of army business which they did not understand. Their blunders were made sometimes through undue interference and sometimes through shameful and heedless neglect, and these blunders brought upon the Continental troops a long series of unnecessary burdens and hardships, and undoubtedly lengthened the struggle for independence. The American reading the history of the Revolution feels that the Colonies would have been wiser to have adopted the system pursued in an emergency by republican Rome. If Washington had been made dictator, his task would have been easier and the country would have been better served. The twentieth century, however, or at least the twentieth century American, has no use for dictators, and we have got to do the best that we can with our citizens' control. But this control should at least be made intelligent and ignorant interference should be minimized. The history of the army posts and of the navy yards gives telling examples of the bad effect of civilian authority in regard to matters and details maintained against the opinions of the experts. We have at this time in existence forty-nine army posts—some eight or ten have during the past twenty-five years been abolished, but almost as many more have been added. The larger number of these posts were created a century or three-quarters of a century back for the very legitimate purpose of protecting the frontiers against Indian raids. The necessity for such protection has long since passed. The Indians are now quiet citizens, or have gone where good and bad Indians go. Successive secretaries of the army have given lists of army posts which ought to be abolished, and the abandonment of which would save moneys that could be used to advantage for the development of the army strength. These useless posts have been retained purely because the communities in which they are placed find some profit from the expenditure connected with them; and because the Congress-



man who voted for their abolition would incur unpopularity with his constituents. The vote of no one Congressman would be sufficient for the maintenance of the useless expenditure, but his vote, coupled with that of hundreds of other Congressmen who are interested on behalf of their own districts in maintaining other futile expenditures, has been sufficient from decade to decade to preserve these useless posts.

In 1912, Henry L. Stimson, secretary of war under President Taft, rendered an annual report of the War Department, which, as a repertory of important information, incisive analysis and clear-cut and weighty recommendations, will retain authority for years to come. It can be compared with the famous report on taxation printed some forty years ago by David A. Wells for the information and financial guidance of the state of New York. In this report, Mr. Stimson gives a list of the forty-nine army posts at that time in existence. He points out, in line with the recommendation of several of his predecessors, that forty or forty-one of these posts ought to be abandoned. This change is important, in his view, not only for the purpose of concentrating the scattered forces of the little army, so that these can be organized in proper divisions, and that officers and men can have the advantage of division service and training, but also to avoid wasteful expenditure. Mr. Stimson estimates that not less than \$5,500,000 could be saved annually by the closing of the useless posts. He shows also various ways in which this money could be used for the service of the nation by improving the efficiency of the army. Similar recommendations have been made by successive secretaries of the navy for the abolition of useless navy yards. The number of the navy yards now carried on the navy list is twenty-one. The experts have recommended that this number should be reduced to twelve or fifteen. Here also a substantial saving could be secured. When the two secretaries of war and the army and navy boards are criticized for incurring large expenditure with small results, it should be borne in mind that certain important divisions of this expenditure are placed outside of their control.

I may recall another instance in which political influence caused unnecessary expenditure and very seriously interfered with the fighting efficiency of our troops. The armies of our Civil War, outside of the little nucleus of the regular army, were organized as

United States volunteers. Our regiments were mustered into the service of the United States, and the armies were directed by United States officers. The regiments were, however, under the plan pursued, organized as state regiments. Some of the states attempted for a time methods which proved to be unprofitable and exceedingly unsatisfactory, under which the company officers were elected by the men, and the field officers were, later, elected by the company officers. But by the close of the first year of the war, there was, I believe, a substantially uniform system in all of the states of the North under which the regimental officers, company and staff, received their commissions from the state governors. The vacancies caused by death or resignation were filled up under the authority of the state governors. In theory at least, the new commissions for the companies were supposed to be given under the recommendation of the regimental officers, and for the regiments by the brigade commanders who had direct knowledge of the service rendered by the regiment. In fact, these vacancies were very largely filled with new men coming from civil life without training, who were appointed over the heads of the officers in the front who had volunteered for service early in the war, and whose service had secured for them a valuable training. These political appointments to fill vacancies did much to demoralize the effectiveness of the regiments at the front. A still greater evil, however, that is to say a more serious impairment of the fighting force of our Northern volunteers, was brought about by the decision to use the later recruits, in the first place volunteers and after 1863, the conscripts, to make new regiments instead of filling up the depleted ranks of the regiments at the front. The state of New York mustered into service during the four years of the war, one hundred and ninety regiments. There ought to have been kept in organization not to exceed one hundred regiments, and if the later recruits, volunteers, and drafted men had been used to keep the ranks of those regiments filled up, the effective fighting force of our army would have been enormously increased. New men campaigning and fighting shoulder to shoulder with veterans secure training very much more rapidly than is possible in a regiment which is green from drummer boy to colonel. These green regiments began wrong. They were a weakness to any brigade with which they were associated. The Confederates had the common sense to pursue the

sensible system. They used their later drafts of men for filling up the depleted commands. Their regiments were kept as nearly as possible to the fighting strength and their brigade divisions and corps contained in most cases nearly double the force of our own. At the Battle of Gettysburg, for instance, the men engaged on the field were, taking the average of the three days, very nearly equal in number: but the Confederates had three army corps engaged against six corps of Federals.

The recommendation of Secretary Stimson, based upon the reports of successive army boards, provides for concentrating the army of the United States into a small number of departments. He recommends a small group of posts covering the Atlantic seaboard on a line from the St. Lawrence to Atlanta; a similar series of posts on the Pacific coast on a line between Puget Sound and Los Angeles, and two groups between the Great Lakes and the Mexican border. The coast forts now number about eighty, of which thirty-nine have no garrisons and the others have garrisons averaging one-half the proper complement. The local sentiment, however, reflected by the action of the members of the House of Representatives, is strictly opposed to any lessening either of the posts or of the coast forts. This objection is, as said above, based in part upon the desire to retain for the districts the advantage of the annual expenditure; but it is fair to say that it is also based in part upon state pride. This local feeling on the part of our forty-eight states, or even of the Congressional districts, in retaining for their own territories something of the national property—some expression of the national power, is not unnatural, and in its general spirit is not to be condemned. It becomes, however, seriously inconvenient and makes a real detriment to a system of efficiency when it is permitted to stand in the way of a wise administration of our resources. If our system of defense is to become efficient, if we are to secure full value for the dollars expended, this objection, whether based upon local greed or local pride, must be overruled. The wise-minded and patriotic citizen must bring influence to bear upon his Congressman so that he shall vote not by district, but imperially; that he shall recognize his duty as a member of the national government; and shall use his vote for the interests of the country as a whole.

The reports of the naval board show that the vessels now com-

prising our navy represent a good standard of construction and they are carrying a force of officers and of men which comprises as good material as is contained in any navy of the world. These reports also make clear that the navy is about two-thirds manned; and when the construction of a new vessel is completed, it is possible to put it into commission only by drafting its men from some of the vessels now in commission which vessels must then be laid up. The under-manning of the navy brings disproportioned labor upon the men on each ship, labor which may from time to time cause discontent and discouragement for the service. These reports also show that the present navy is not complete as a properly equipped or effective unit. Naval men know, and they are the only men who do know, just what is required to make a complete unit efficient for its purpose. They point out that the existence of so many dreadnaughts, in the old term "ships of the line," calls for a complement of so many cruisers. There is, in like manner, requirement for a definite proportion of colliers, supply-ships, aeroplanes, submarines. If the people should decide, or at least if Congress, claiming to speak in behalf of the people, should decide, that, under our present policy, the navy ought not to be increased, there is no excuse for deciding at the same time that the navy for which we are now making appropriation should not be completed as a unit according to the reports of the naval board. And yet from year to year, these reports have been pigeonholed. The chairman of a Congressional committee who may be a citizen from some back Western state with no knowledge of ships, says jauntily, "The expenditure for the navy is sufficient; the navy is complete as it stands," or, assuming that he approves of some particular expenditure, he will support the recommendation so as to provide, for instance, for additional dreadnaughts, while refusing to approve provision for the colliers, the supply-ships, the aeroplanes, and the submarines which are essential to make the service of dreadnaughts effective. \* \* \* \*

(The Congressman who is called upon to help to shape in committee the appropriations for army and navy is often ready to give larger consideration to the effect upon public opinion rather than to the needs of the service. For instance, the reports show that the value of the guns now placed in our coast defenses aggregates \$40,000,000. The average citizen learning that these guns have

been provided, or possibly if he is himself within reach, taking a look at the guns, is ready to convince himself that the government has taken the measures necessary for the protection of the coasts, and that the safety of his own home is secured. He forgets to inquire what provision, if any, has been made for the placing of trained artillerists behind the guns or for the accumulation of ammunition, much of which is of a character that cannot be manufactured hurriedly. The Congressman, representing a coast district, has satisfied the demand of his constituents, but he has done very little towards providing the defense required. The report of General Weaver, Chief of Coast Artillery, published in December, 1915, stated that 21,000 men are required to equip the defenses of the coast. One hundred and twenty-eight big guns have absolutely no men to work them; while the supply of ammunition for these guns would enable them to render service for the space of one hour!

An example of political stupidity in the failure to utilize capital (in the form of experience) that was available, is given in the management of our war with Spain in 1898. \* \* \* No one of the states concerned made use of the veteran experience that was in that year still within reach; and each of the great states whose troops were sent to the front must bear the disgrace for the blunders that resulted from ignorant political management of military requirements. The deaths per thousand from typhoid within the United States, when the troops were within reach of all the resources of the country, was greater for this little Spanish war of a few months than for the armies of the North during the whole four years of our Civil war. The men whose lives were sacrificed in the camps on Long Island and at Chickamauga and in Virginia (within twelve miles of the headquarters of the surgeon-general) because the camps had not been properly laid out and were not properly cared for, were simply murdered. These deaths were due to political ignorance and were a disgrace to the nation.

For the coast defenses, as for all the fighting forces of the country, naval and military, three policies are possible: we should accept the views of the pacifists, save the money of the country and refuse to make any appropriations whatsoever; the coast forts could be dismantled; the guns melted up; the vessels of the navy could be put on the scrap heap, and the soldiers of our little army returned to civil life; the nation could take the ground



that it would make no provision for the defense of its territories at home, or for the maintenance of obligations outside of its own territories. These obligations would, of necessity, be terminated. Such a course of action would at least be consistent, but it would also be cowardly and in the end futile. We may realize from past history, and from history that is now in progress, that abstinence from aggression, refusal to interfere with the affairs of the world, and assertion of righteous and unselfish purposes, would not protect the United States any more than it has protected China or Belgium from aggression and in the end from domination.

(The second policy is that of partial or inadequate defense. This is the system that has in substance been followed by our country during the greater part of its history. As in the instances above cited, we use money, and a good deal of money, for the beginning of a defense system. Such expenditures can have no possible value excepting that of satisfying some phase of opinion at the time of some apparent emergency. We carry on a great series of army posts, three-fourths of which are antiquated and useless; we have the framework of an army without providing men enough even to do the national police duty over our great territory. We build expensive vessels and call the group a fleet without making provision for the final equipment, so that the fleet, whether smaller or larger, lacks complete efficiency. This kind of policy which, with a large amount of expenditure, produces no satisfactory results, is what the country has secured in leaving in the hands of civil authority not merely the decision as to national policy, but the determination of the details of the military and naval organization required to carry out such policy.

(The third, and as the men of my group contend, the only reasonable, course of action for a nation such as our own, with wealth to protect, with policies to maintain, with obligations to fulfil, with ideals to uphold, is to make such organization of our national resources of men and of material as shall give fair assurance for the defense of our coasts, particularly of our great coast cities, and as shall place us in a position to fulfil in our international relations whatever obligations we have assumed. The nation should take the position that is taken by an honorable merchant who incurs no obligations for the fulfilment of which he has not resources in hand, or for which resources cannot be secured. The men who are

emphasizing the importance of a wise and consistent system of national defense are insisting that the political representatives of the country shall give heed to the counsel and to the specific recommendations submitted by the military and naval experts whose reports are based upon trained skill and long experience. These men have been educated by the country to do a specific service, and it is futile to train such men, to call upon them for the service, and then to permit their recommendations to be thrown to one side by civilians who do not understand the subject and will not take the pains to study it. \* \* \*

It is impossible to forecast what new perils may arise in the future. It is the hope of those who are working for peace (and those of us who are interested in organizing our defenses are all advocates of peace), that after the present war it should prove possible to bring about the federation of the states of the world, which has always been the dream, the ideal of the peace men.

Under such a federation, issues arising between the several states would be adjusted, not by war, but by the decisions of a world's court, sitting possibly at The Hague. These decisions will be enforced by a world's police, military and naval, made up of contingents contributed by the several states in proportion to their population, their wealth and their international relations, commercial and political. The contribution of the United States to such world's police must, in connection with its population of 100,000,000 and its great relative wealth, be large, much larger, in fact, than the forces that are now being recommended for new vessels, for the increase of the regular army, and for the constitution of a great reserve of trained citizens. \* \* \*

We must emphasize also with Congress the contention that a certain amount of training given to the young citizen when he is still receptive must largely increase the efficiency of that citizen. Under the recommendations of successive secretaries of war, approved by our National Security League, the service with the colors is to be diminished from seven years to two years. Any man of sufficient intelligence can, either as a soldier or as a citizen, secure adequate military training in two years, and if he has a little above the average intelligence and zeal, he can be discharged from the colors as an efficient soldier at the end of one year. The experts

are at one in the conclusion (a conclusion based largely upon the study of conditions in Germany and in France) that the efficiency for later work or for citizen service of any kind is so largely increased by intelligent military training that there would be not a loss but a net gain in the productive capacity of the country in allowing two years, or one year, for youngsters of from 18 to 20, or from 17 to 19 to be devoted to military training.

While the men in the ranks can be made effective with training of from one year to two years, the training of an officer is, of necessity, more exacting. It takes years to make a man fit for the responsibilities of an officer. If the reserve army of trained citizens is to come into existence, we must have officers competent to render the training required. It is the recommendation of the experts that provision be made for an annual examination of men for certificates as officers for the reserve army. Such examination should give us, in the course of a year or two, the 30,000 or 40,000 officers required. Such additional officers can be secured, first, by the enlargement of West Point, second by passing with the certificates or commissions the men appointed from the military institutions of the country and from the land grant colleges which under the conditions of their organization carry on military training; and, third, from outside groups, such as the Institute of Civil Engineers. The politicians can be made to understand that there is no more risk through the extension of this training of officers and of citizens generally, of bringing the country into a militaristic or aggressive form of mind than there was that the armies of veterans who made their triumphal march through Washington in 1865 would take possession of the government and would run the country for their own advantage.

I believe that the majority of our citizens today have no patience with the attempt to avoid risk of war for the purpose of saving expenditures and of maintaining (if possible) an ignoble peace. I believe that our citizens are ready now, as they have been in past generations, to do what is necessary to maintain our independence and to fulfil our obligations. I believe that Americans will hold that our obligations include not merely the fulfilment of our guarantees for the protection of American citizens from aggression, but the doing of our part in maintaining in the adjustment of the

world's issues the independence of the smaller states, in supporting the contest against aggression and world domination, in defending the right of the people to govern themselves and in upholding the ideals of representative government which have from the beginning been upheld by our Republic.

## THE HIGH COST OF THE PORK BARREL

BY JOSEPH E. RANDELL,

United States Senator from Louisiana.

The term "pork barrel" has been so freely used in the press and various public addresses that it is well to understand its meaning before attempting to discuss it. In its general acceptation, "pork," as applied to Congressional legislation, means an appropriation by Congress for an unworthy purpose that is not for the public good and useful to the nation, but is for the private benefit of the Congressman who secures it, or for one or more of his constituents. The term conveys the idea that certain classes of legislation such as pensions, public buildings, rivers and harbors, and some other bills, if not wholly reprehensible, contain many improper items for objects which should have no place in acts of Congress. These bills are made to appear similar to the parable of the sower who got the cockle mixed with his wheat. Their wise provisions which help the public and promote the general welfare constitute the wheat, and the selfish, unjust, and unwise items are the cockle, or "pork."

INTROD.

It has been observed that critics of "pork" always find it in other Congressmen's projects, never in their own. The appropriations for rivers, public buildings, and pensions in the district of Congressman A, the critic, are all right, in his opinion, and are without the slightest scent of "pork"; that smell exudes only from sums to be expended in the district of Congressman B. What a difference it makes whose ox is gored! In the press it is usually found that the severest critics of "pork"—especially river and harbor "pork," and more especially *river* "pork," since we seldom hear of *harbor* "pork"—are those publications closely allied to certain railroads which oppose river improvements because they fear water competition. The French say "*Cherchez la femme*"—"find the woman." I have no doubt that when we "find the woman" in the case of most of these publicists, who see so many motes in the eyes of so-called "pork barrel" Congressmen, it would not require glasses to discover railroad beams in their eyes.

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*Senator Burton Denounces Charge of "Pork Barrel"*

Ex-Senator Burton of Ohio, who for ten years was chairman of the River and Harbor Committee of the House of Representatives, said before the Convention of the National Rivers and Harbors Congress in December, 1909 (See Convention proceedings, page 106):

My friends, the president of this congress will say to you that we have known no North, no South, no East, no West in the years we have been together. We have taken up projects according to the measure of their merit, and I can vouch that members of the committee in many instances have leaned over backward where their own localities were involved, and have given closer attention to projects in other places. . . . You have had to meet the idea that there is a pork barrel somewhere. Whenever there is a man of superficial information on this subject, or one who has had some project that has been turned down hard because it had to be turned down, that man begins to talk about the pork barrel. There has been no line of appropriations made by this government more carefully guarded than appropriations for rivers and harbors. . . . I challenge anyone to cite an instance where that bill has ever been made up to gratify certain localities or to advance the interests of some member of Congress in the House or Senate. . . . There has been no log rolling, no pork barrel, no regard for individual prospects or anything of the sort, no regard for any particular locality in the country.

What can I add to these words? Mr. Burton surely knew all about river and harbor legislation, and he had no motive to misrepresent facts.

As river and harbor legislation is the greatest sufferer from pork barrel slanders, I will take that up first, and later give some attention to public buildings and pensions.

*Slanders*

It is said of one of the famous French atheists, who despised Christianity with the utmost venom, that he told his followers; "Lie, lie, lie, some of your lies will stick." I sometimes wonder if this method is not taught by the enemies of river and harbor legislation, for it is hard to conceive otherwise how such baseless fabrications have been repeated again and again until many well disposed but ignorant people believe them to be true.

I have quoted above what ex-Senator Burton says about river and harbor "pork," and his indignant statement that "there has been no log rolling, no pork barrel, no regard for individual prospects, or anything of the sort, no regard for any particular locality in the country" in the preparation of river and harbor bills.

I was for twelve years a member of the Rivers and Harbors Committee of the House of Representatives, and for the past three years have been on the Commerce Committee of the Senate, which has charge of river and harbor legislation. Moreover, this subject has been a hobby with me, and I have studied it closely and from every angle for the past fifteen years; hence, I ought to be a fairly competent witness. Every word uttered by Senator Burton is true. The committees of Congress did their utmost to enact laws in regard to rivers and harbors that were fair, just, and beneficial to the public at large, regardless of individual Congressmen, or private interests. I do not pretend to say that no mistakes were made, for to "err is human," but I insist, for reasons that I will explain later, that fewer errors were made in the preparation and passage of river and harbor bills than in any class of legislation enacted by Congress. I deny with all the force of my being that there was any real "pork" in the river and harbor bills passed by Congress during the past fifteen years, and defy anyone to prove the contrary. I know that appropriations for certain projects have been criticized and held up to scorn and ridicule, but it is so easy to make an assertion, and so hard to disprove a slander. We are prone to believe everything evil we hear. The rules of legal evidence say that he who asserts must prove, but how much proof does the ordinary man require to convince him that a plausible story about some man's dishonesty or some woman's lapse from virtue is true?

The charge of "pork" in river and harbor legislation in effect is that the prominent people who advocated the project, the United States engineers who recommended it, and the members of Congress—especially the House Committee on Rivers and Harbors, and the Senate Committee on Commerce—are grafters; that they have looted the Treasury; that they have put their hands in a barrel and pulled money or "pork" which belonged to the public and used it for corrupt purposes.

If we analyze this charge, it appears unreasonable on its face. If we were to grant that the local people who urge the project on Congress because of selfish interest—for their communities, not for themselves personally—are corrupt, and that their influence with their own senators and representatives could induce these officials to favor the project, then surely the ten United States engineers who must give it their approval before it has any standing before

Congress have no motive for promoting a vicious project; and the Congressional committees charged with the duty of studying and reporting on it to their colleagues in both Houses can have no reason or incentive for favoring a project which is bad and unworthy, as it does not affect them or their people.

*Splendid Safeguards for Waterway Appropriations*

No bills that come before Congress are better safeguarded than those making appropriations for waterways, and it is almost impossible to put through an unworthy project. Following is a brief statement of the steps preceding the adoption of a project; whether it be one of great general importance costing millions, or some obscure river or inlet of only local interest, the process is the same.

A bill is introduced in the House or Senate asking a survey of the proposed project, and, if thought worthy on *prima facie* showing, the survey is included in the next river and harbor bill. The Chief of Engineers then directs the United States engineer in charge of the locality, usually an officer with the rank of captain or major, to make a preliminary examination and report, showing feasibility, prospective cost and benefits, and every ascertainable fact. This report goes first to the colonel in charge of the division, then to the Board of Engineers for Rivers and Harbors, composed of seven United States engineers of high rank, and finally to the Chief of Engineers. If the local engineer reports adversely, that usually settles it, and the matter is dropped, though occasionally he is overruled by his superiors. If the local engineer finds the project apparently worthy, he so reports, and his opinion, after most careful consideration by his superiors, is affirmed or disapproved.

Should the Chief of Engineers, in the light of all the facts and suggestions of the local engineer, the division engineer, and the Board of Engineers for Rivers and Harbors, conclude that the project is worthy of an actual survey, it is ordered referred back to the local engineer. A survey party is then placed in the field and an elaborate survey is made to ascertain every fact bearing upon the project, including cost, commerce present and prospective, and everything helpful to Congress in reaching a final conclusion upon its merits and demerits. This survey usually requires several months, and, in the very important projects, one or more years, and no reasonable expense is spared to get all the facts. The report

then goes to the division engineer, who attaches his views and forwards it to the Board of Engineers for Rivers and Harbors.

This board has offices in the city of Washington, and in addition to a careful review of the reports of the local and division engineers, it gives hearings, pro and con, to interested persons. Moreover, if the project is a costly one, the board frequently examines it in person, as it did recently when the entire membership of seven colonels investigated the Missouri River below Kansas City. The findings of this board, accompanied by reports, evidence, maps, etc., then go to the Chief of Engineers, who renders a final decision, which is transmitted through the Secretary of War to Congress, and the whole record is published as a public document for all the world to see. And if the project is not regarded as worthy either by the Board of Engineers for Rivers and Harbors or the Chief of Engineers, it is not considered as having legislative status. In other words, Congress will not appropriate for waterway projects unless approved as above indicated, except in very rare cases when the amount involved is quite small and Congress has conducted an independent investigation for itself.

Bear in mind that the United States engineers are the honor men of West Point, the pick and flower of the American army; that many of the ablest and best men of our republic, including the builders of the Panama Canal, have been United States engineers; that they have disbursed over three-fourths of a billion dollars on waterways with only one scandal—that at Savannah; that they hold office for life; that they are not interested personally in the localities where they serve for three or four years and then leave, never to return in most cases; that not only one engineer, but *ten*, must investigate and report in writing for publication upon a waterway project before Congress will consider it.

How would it be possible for anything smelling of "pork" or graft to run such a gauntlet? The charge of "pork" in connection with river and harbor legislation is preposterous. It is made by enemies of waterway legislation who have no regard for truth.

River and harbor bills are not pork barrel bills, but commerce builders.

#### *Public Buildings Teach Patriotism*

Appropriations for public buildings to be used by Congress and by the departments of the government at Washington, and for

use as customhouses, courts, post offices, etc., throughout the republic, have been sharply criticized and the cry of "pork" frequently leveled at them. Perhaps a few of these buildings were not really needed and too great expense may have been incurred in constructing some of them. The scope of this article does not permit a detailed discussion, but let me suggest that all these buildings, without a single exception, were for the use and benefit of the general public, and could not, except in the most indirect way, be of any advantage to private persons, though the Congressman who secured them received the plaudits of his constituents, and in some instances obtained political rewards. These expenditures were all investments and the government owns the buildings and other property in evidence thereof. Some were wise and returned large interest on their cost; others were not so good, but in the main they have turned out as well as average real estate investments.

As an instance of how substantially our government usually builds, let me relate a personal experience at the city of San Francisco. Mrs. Ransdell and I visited its ruins a few months after the great earthquake and fire. We traveled for miles through a scene of awful desolation with masses of every imaginable building material which fire could not consume, scattered and twisted and gnarled in the most inextricable confusion. The splendid city hall erected at a cost of seven millions was completely destroyed. The only structures which withstood the shock of quake and fire were the United States post office and customhouse. They were somewhat injured, but business was being conducted in them, and everything near them was in ruins. I could not have believed this had I not seen it myself.

Let me emphasize one feature connected with public buildings that is often overlooked, and that is their great value as teachers of patriotism. In many interior towns, where the population is about four thousand and upwards, are public buildings used for the local post office and federal court. These buildings in the smaller places rarely cost over fifty thousand dollars but they are built in the best style of architecture, and of the very best material. It is the most notable structure in the town, and is the observed and admired of all observers. To look at it makes one proud he is an American citizen. The United States flag is always flying over it—an emblem of our National Union, power, and glory; our right



to free speech and free conscience, and all that makes a government loved and honored by its people. In some localities the stars and stripes are seldom seen except on the staff of a public building, where they sing a continuous anthem in honor of our country, and teach patriotism three hundred and sixty-five days in every year.

Surely river and harbor and public building legislation is not fairly open to the charge of "pork," but the same cannot be said of our pension bill.

#### *The Pension Abuses*

A discussion of the abuses of our pension system is a delicate and difficult matter. Patriotism is a virtue which is implanted deep in the American heart, and a leading attribute of patriotism is gratitude to those who have shed their blood in their country's defense—who heard and answered her appeal in time of direst need. No one, and certainly not I, would deprive any soldier who was disabled in the service of his country of a pension. Every dependent widow of a soldier who was killed or disabled while fighting for his native land should be pensioned. What I shall say is aimed not at our pension system, but at its abuses—abuses which have made the title "pensioner" appear more like a term of dishonor than a badge of glory.

Since the beginning of our government we have expended \$5,025,193,970 for pensions—a sum more than six times as great as all river and harbor appropriations during the same period, and two-thirds more than all navy expenditures during that time. Of this colossal sum, all but \$96,000,000, or \$4,928,748,525, has been distributed since 1865.

A brief study of our annual pension appropriations is illuminating. After the Civil War, our pension disbursements naturally increased as more and more names were placed on the rolls. In 1874 they had reached \$30,000,000, and then the decline began; but then also began the period of artificial pension legislation of questionable propriety. Up to 1878 pensions were paid only to disabled soldiers and their dependents, but in 1879, Congress passed a law granting full arrears to all persons entitled to pensions, and our expenditures leaped, in two years, \$20,000,000—from \$37,000,000 in 1878 to \$57,000,000 in 1880. This increase was so great that Congress then passed an amendment providing that the claim for arrears must have been filed prior to 1880. Through the payment of arrears

our pension appropriations soared, and in 1888 had reached \$82,000,000. In that year, the limitation as to the time of filing a claim for arrears so far as widows were concerned was removed, and this opened the door to all kinds of fraud. The tempting prize of thousands of dollars of arrears was too much for numbers of "widows," many of whom were negroes, and there can be no doubt that many persons were beneficiaries of the government's bounty, who were not entitled to it.

*An Era of Extravagance*

Under the influence of this legislation and of "Corporal" Tanner, a member of the Grand Army of the Republic, who became pension commissioner at that time, and who is credited with the statement "God help the (Treasury) surplus when I get at it," our pension bill grew in two years to \$109,000,000. In 1890, an act was passed pensioning every soldier who had served not less than ninety days in the Civil War, and was so disabled that he could not earn a living by manual labor, but the disability need not have arisen from war service, provided it was not caused by vicious habits. The act also pensioned widows of soldiers who had married before 1890, and provided that they need not prove that the soldier's death was due to causes brought on by the war. The result was that our pension disbursements skyrocketed \$52,000,000 in three years, and reached \$161,000,000 in 1893. The strong stand of President Cleveland checked this waste of public funds for a while, and the efforts of the commissioner of pensions under him, Mr. William Lochren, unearthed enormous frauds. Mr. Lochren dropped 2,266 names from the pension rolls, and reduced the ratings in 3,343 cases. Pension disbursements, under his administration and without any change in the law, fell from \$161,000,000 to \$143,000,000 in a single year.

To show how graft of all kinds had permeated our pension system, let me point out that in 1899 Commissioner of Pensions H. Clay Evans, after investigation, disqualified 24,662 of the registered pension attorneys, leaving only 18,431 to practice before the bureau.

It is impossible, however, to go into particulars. In 1907, 1908, and 1912 further pension legislation was passed, and now we have practically a service pension, as every veteran over sixty-two

years of age, even though not disabled, is entitled to a pension. The war between the states is a memory of fifty years ago. Five years after the war, in 1870, there were 198,000 pensioners on the rolls; in 1915, half a century after the declaration of peace, there were 748,147 persons receiving government aid, of whom 691,606 are Civil War pensioners. In 1870 our pension bill was \$29,000,000; in 1915, it was \$166,000,000; and bills have recently been introduced providing for larger and more pensions.

*Our Pension Disbursements Largest in the World*

Our pension disbursements in 1913 were \$176,714,000—five times as much as France, seven times as much as Germany, ten times as much as Great Britain, and twenty-three times as much as Austria Hungary. These four great European powers combined spent for pensions that year only \$84,000,000, or less than one-half as much as the United States.

Let me repeat that every soldier who was disabled, or whose health was impaired, during the war, and his dependents after his death, should have a pension, but no one is entitled to government aid simply because he enlisted for ninety days, even though he had never seen a battle-field and had suffered no injuries whatsoever.

Now what is the method of obtaining a pension? Let us assume that a man claims to have been disabled during the war and desires a pension. He files an application with the Pension Bureau, and if the War Department can give no information as to his disabilities, he is requested to furnish evidence. This evidence is purely of an *ex parte* character, and consists of affidavits filed by the soldier from comrades, officers in his regiment, etc., alleging that they knew personally of his injury. This was a fruitful source of fraud, especially some years ago. There was a natural tendency among the old soldiers to reciprocate with each other on the principle, "If I swear to his 'disability' he will swear to mine." And every doubt is solved in favor of the old soldier.

*Some Striking Illustrations*

Two instances of "disability" will be instructive.

Mr. Charles D. Long, while serving actively as Judge of the Supreme Court of Michigan, was drawing \$72 per month for "total

and permanent helplessness," though this pension was reduced in 1893 to \$50 per month.

General John C. Black in 1878 was pensioned at the rate of \$100 per month by special Act of Congress on the ground that he was "a physical wreck, maimed and diseased, incapable of any effort and much of the time confined to his bed." Since then this "physical wreck" was Commissioner of Pensions for four years, served one term in Congress, and later was chairman of the Civil Service Commission for nine years, during all of which time he continued to draw his pension of \$1,200 per year, in addition to his salary of \$5,000 as commissioner, \$5,000 as representative, and \$4,500 as chairman of the Civil Service Commission. These are but two striking cases, though a great many similar ones could be cited.

#### *The Mighty Pension Grip*

Surely if there is "pork" in any Congressional legislation, it is in our pension bills. So skillfully distributed has been this form of government bounty, and so closely akin to love of country is gratitude to the worthy veteran, that men's voices have been stilled, when they should have been raised in protest against the abuses of our pension system. So-called "reformers" who attack river and harbor legislation dare not turn the searchlight of publicity upon the evils that have crept into our pension disbursements; they dare not call attention to the real "pork barrel," the pension bill, because many pensions, and more liberal pensions, are very near and dear to the 748,000 recipients of the government's favor, and their relatives and friends, who are powerful at the polls.

Some idea of the importance of pension gratuities as purely financial propositions appears from the fact that in 1915 the amount paid in pensions to citizens of Ohio was \$15,666,000, Pennsylvania \$15,275,000, New York \$13,791,000, Illinois \$11,409,000, Indiana \$10,096,000, Iowa \$5,621,000, and Wisconsin \$3,995,000. Let us compare this Ohio fifteen and a half million pension crop, which never has a bad year and costs its beneficiaries nothing, with the Louisiana sugar crop, worth about twenty to twenty-five millions gross per annum, which is very expensive to produce, and is frequently the victim of bad seasons and adverse legislation. Is it any wonder that members of Congress from Ohio are pension enthusiasts?

*The Special Pension Bill Evil*

But the story is not yet told. Our pension laws are liberal, very liberal; in fact, they practically give a service pension, and every surviving Civil War veteran is believed to be on the rolls. Liberal as are these laws, they do not include all who desire pensions, and covering these cases, special bills are introduced giving a pension to, or increasing the pension of, some individual. Sometimes the bill is to correct the military record of a deserter, and grant him an honorable discharge, so that he may draw a pension under the existing law. Since 1861 Congress has allowed 47,398 pensions by means of special acts. Of these, 21,648, with an annual value of \$6,640,722, are still on the pension roll. The Sixty-Third Congress passed 5,061 private pension bills at an annual cost to the government of \$1,526,598.

These acts give pensions, or increases of pensions, to those who cannot qualify under existing most liberal laws, because of lack of evidence as to service, desertion from the ranks, not sufficient "disability," or for some other reason. Some of these bills may be worthy, but an immense number of them are not. No safeguards are thrown around pension legislation; no investigation is made prior to the introduction of the bill; and its consideration by the pension committees of Congress must necessarily be brief and cursory, when we recall that 5,061 bills of this character were passed last Congress, and, of course, this is only part of the number introduced and investigated by the committees. It is a physical impossibility to give each of these special bills a calm, judicial investigation in order to ascertain the real facts. They are of necessity put through in a hurry.

An examination of the *Congressional Record* shows that among the chief offenders in the introduction of these special pension bills are some of those "reformers" who have recently been so blatantly denouncing river and harbor appropriations. In one instance three-fourths of all the bills introduced during the Sixty-Third Congress by a Member who was very bitter in his criticism of river and harbor "pork" were special pension bills.

*Pension Extravagance Should Stop*

Our Civil War pension laws are written upon our statute books, and probably the greater part of the disbursements caused by them



have already been made. Let us hope so at least. These legislative mistakes are part of our history. We cannot correct them, but we can and should prevent the enactment of similar legislation in regard to wars since the Civil War. There are now 28,912 Spanish war pensioners on our rolls, and they received last year \$3,851,701. This is entirely legitimate, for it is only proper that the republic should pension those who were disabled in its service and their dependents, and the dependents of those killed in its service, but we must beware of entering upon a career of artificial legislation for these veterans, such as characterized the period after the Civil War.

#### *Pensions Confer Only Private Benefits*

Let us remember that the \$5,025,193,970 paid for pensions have been mere expenditures; money which we have had to pay out, and from which no dividends have ever been derived. These vast sums have been all outgo and no income. Pension bills are in their nature private bills. They give money to private individuals, and no one is directly benefited by a pension except the party receiving it.

On the contrary, bills for public buildings, and rivers and harbors, are public bills—they disburse money for public purposes and the public gets the benefit. The government, like a vast business corporation, must have houses in which to conduct its affairs. It must build or rent, offices, post offices, court houses, custom houses, etc., and these structures, for which in all \$363,967,276 has been appropriated, are the property of the government—they belong to, and benefit all the people, and not any particular individual. They are public assets, and in most cases have earned fair interest on their cost.

#### *Splendid Waterway Investments*

The \$800,000,000 appropriated for waterways since the American Revolution are investments which have yielded, and will continue to yield, in their great aids to transportation, perpetual dividends to the American people. For the stupendous sum of more than five billions lavished on pensions, we have nothing, absolutely nothing, of tangible public benefit to show. That money is gone, and gone forever. For our river and harbor expenditures, however, we have, and posterity will have for all time, our splendid

improved harbors, great marts of trade, where giant ships dock at their wharves; our Great Lakes, vast inland seas, where a hundred millions have been spent, and which carry the largest and cheapest volume of water-borne freight on earth; and our rivers, like the Ohio and the Black Warrior, heretofore almost unnavigable, but now being improved by locks and dams, and made great arteries of commerce. These are permanent public works which help to make our country the richest and best on the face of the earth. Improved waterways are freight carriers and rate regulators; they are commerce builders; they are creators of prosperity. There are only three cities in the United States of over 150,000 population, and none reaching 250,000, which are not on navigable water. Practically every metropolis of ancient and modern times was located on a navigable stream or the ocean. Improved waterways make quick, convenient, and economical transportation, and such transportation of products is essential to national prosperity.

To summarize, I am convinced that charges of pork barrel as applied to rivers and harbors, and public buildings, are in the main unjust and slanderous; but I cannot say the same about pensions. And not only has pension legislation been enormously expensive in actual outlay of money, but I fear its advocates have done much to demoralize American politics and to lower the high standard in which Congress should be held. The cost of the pension pork barrel has been very high.

## TARIFF MAKING BY LOG ROLLING

BY GUY EMERSON,

Associate Editor, *The Economic World*.

It has been given to very few men to grasp the fundamentals of American institutions so fully and so fairly as did the distinguished author of *The American Commonwealth*. Lord Bryce perceived with the accuracy of a trained lawyer our national defects, while at the same time visualizing with the imagination of a poet the promise of American life. He wrote:

America has still a long vista of years stretching before her in which she will enjoy conditions far more auspicious than any European country can count upon. And that America marks the highest level, not only of material well-being, but of intelligence and happiness, which the race has yet attained, will be the judgment of those who look not at the favored few for whose benefit the world seems hitherto to have framed its institutions, but at the whole body of the people.

Much water has flowed under the bridge since these words were written. The nations of the Old World have plunged into war; and, as an accompaniment of the physical conflict, there has been a searching analysis of ideals and institutions on the part of thinking men all over the world which has not had its parallel since the Renaissance. Americans especially have been moved to an intellectual taking of stock. Our eyes have been turned inward, and we have had to decide all over again whether or not we were ready to stand forth and defend with our lives the institutions of our fathers. Brought face to face with the spectacle of a remarkably efficient autocracy, we, who have believed ourselves custodians of human liberties, have been forced once more to go to the roots of things, to live over again the great days during which the foundations of this republic were being laid, carefully, arduously, stone upon stone.

It does not seem too soon to declare that Americans of 1916 have concluded that they are ready to carry forward the institutions of Hamilton and Jefferson—that they still believe in human liberties. But out of this deep and, perhaps, somewhat bitter self-examination has come the outstanding realization that much must

be done, immediately done, to prove that a democracy can be efficient.

These are the considerations which go far to vitalize a present discussion of our system of government, and to render of first importance a review of the machinery with which we expect to keep our place in the van of world progress. It is the purpose of this paper briefly to discuss the perennial American problem of tariff making, and to outline a course of action in line with present-day demands of industrial preparedness and national efficiency.

By way of preface it should be stated that the present discussion does not involve the merits of the various schools of tariff thought. It seems obvious that the United States will, for many years to come, adhere to some degree of protection, whether frankly, or incidentally, through a policy of tariff for revenue only. These are political questions. The majority of the people must decide what policy they desire to follow. This majority will be reflected in the majority in Congress. It is important to note, however, that when the people have registered their will at the polls, there still remains the important task of framing a tariff accordingly. This is tariff making. It is essentially a scientific and non-political task. It is a highly technical and difficult task. The fact that it has always been handled along lines of political expediency is one of the most pregnant sources of our present lack of national efficiency.

Let us first see what is involved in the problem. In the first place the tariff involves a considerable proportion of the total revenue of the government. According to the Treasury Statement of June 30, 1915, the receipts for the fiscal year ended on that date were \$695,663,190, of which the revenue from customs contributed \$209,268,107. It is the second largest indirect tax imposed by the government. In addition to this, however, the imposition of a tax on imports bears directly or indirectly upon our entire industrial fabric. Not only is it vital to the manufacturer to know what, if any, protection he is to have against foreign competition, but he must also know, if he is to attain to his full capacity as a producer of goods to be sold in competitive markets at home and abroad, what the chances are of a continuance of the policy in force at any particular time. Uncertainty is the greatest enemy of successful business. Many manufacturers would gladly exchange a considerable portion of the protection they now have and

which they stand in danger of losing at any moment, for a definite policy, based on ascertained facts, upon which an intelligent business campaign reaching into the future could safely be based, and in the security of which long-time undertakings and commitments could be entered upon.

Since 1890 there have been five revisions of the tariff. Each revision has been accompanied by an agitation of our entire commercial and industrial structure. None of the revisions has been generally satisfactory. Not only the manufacturers, but the laborers, farmers, merchants, bankers and the public generally have been more or less involved, and always with the result that an outcry has arisen for further change. It is an endless performance in which the actors are unskilled and the audience dissatisfied; and yet the same old play is staged over and over and over again.

It is a truism that a successful piece of work is the result of careful preparation and skillful execution. Is it not, therefore, more or less obvious why our tariffs have failed to satisfy the country? Let us examine briefly the machinery by means of which they are produced. In this connection a quotation is offered from an able paper by Mr. Henry R. Towne, formerly president of the Merchants' Association of New York. "The conditions under which this highly technical and complex subject is now dealt with," says Mr. Towne, "would be ludicrous, if they were not so utterly unfair. The members of the Congressional committees in charge of tariff revision are exceedingly busy men, each serving on other committees also, and devoting only a portion of his time to this work. Necessarily their public hearings must be limited to intermittent days, and be kept within limited hours, and yet, even ignoring these limitations, . . . the time during which tariff bills have been considered, matured and adopted during recent years has been strikingly inadequate." Mr. Towne then points out that the entire time spent on each tariff act has not averaged more than three and one-half months. In this same connection the following statement of Mr. Franklin Pierce is pertinent:

So hasty and careless are the methods of tariff legislation that the Dingley Bill, which filled 163 printed pages and imposed duties upon more than 4,000 separate articles of import, introduced at the opening of the session in the House on March 15, 1897, was passed within less than two weeks and transmitted to



the Senate, only 22 pages of it having been considered and discussed upon the floor of the House.

Mr. Pierce proceeds to recall the classic instance of the Canadian frog industry which, in their unreasoning haste, the legislators overlooked, with the result that the distracted customs appraisers, to repair the omission, held that frogs were poultry, and assessed duty accordingly.

To quote again from Mr. Towne's paper,

when Congress proposed to consider a revision of the present tariff schedules . . . . a card was issued by the Committee on Ways and Means inviting persons who desired to be heard to apply "to be assigned to a place on the program," and naming fourteen dates for the hearings beginning November 10 and ending December 4. Each hearing was to cover a "specific schedule" and was expected to last two days. The first two hearings covered the schedules relating to chemicals, liquors, tobacco and sugar. One hearing, that of November 25, was allotted to considering the question of duties on "metals and manufactures of," that is, practically everything composed wholly or chiefly of metal, from pig iron to pins, from steel rails to sewing machines, from jewelry to stoves, from watches to steam engines. Is it surprising that the thousands of manufacturers concerned were conspicuous by their absence from so farcical a proceeding?

Mr. Towne then quotes Senator Beveridge with regard to the striking discrepancies between the findings of the Committee of the House and those of the Senate Committee "in their attempt to deal with technical questions involving applied science in almost every department, and commerce in every branch." The following examples are typical of the varying preliminary rates fixed by the two branches upon the same article:

Borax, per lb.,	House 2 c.,	Senate 5 c.
Phosphorus, per lb.,	House 20 c.,	Senate 10 c.
Certain knives, per doz.,	House 75 c.,	Senate free
Certain files, per doz.,	House 30 c.,	Senate 50 c.
Finished lumber, per M. ft.,	House 50 c.,	Senate 35 c.
Sugar cane, per cent. ad valorem,	House 20 %	Senate 10 %
Certain cotton cloth, per sq. yd.,	House 8 c.,	Senate 6½ c.
Matting, per sq. yd.,	House 8 c.,	Senate 4 c.

"The Conference Committee," Mr. Towne concludes, "which finally adjusted these differences of from 50 per cent to 150 per cent, was in session *only five days.*"

It is needless to multiply instances of the total inadequacy and unfairness of present tariff-making methods. This inadequacy

and unfairness is realized by the great majority of thinking men throughout the country. And in the minds of many men there is a pronounced feeling that the haphazard and dark-closet methods of framing these all-important measures afford too great an opportunity for practices not only unscientific but positively immoral. Conditions have unquestionably improved in this regard since the publication of *The American Commonwealth*. The following passage from that book is none the less a suggestive text for a discussion of tariff making at the present time:

The tariff on imports opens another enormous sphere in which legislative intervention affects private pecuniary interests; for it makes all the difference to many sets of manufacturers whether duties on certain classes of goods are raised, or maintained or lowered. Hence the doors of Congress are besieged by a whole army of commercial or railroad men and their agents, to whom, since they have come to form a sort of profession, the name of Lobbyists is given. Many Congressmen are personally interested, and lobby for themselves among their colleagues from the vantage-ground of their official positions.

Thus a vast deal of solicitation and bargaining goes on. Lobbyists offer considerations for help in passing a bill which is desired or in stopping a bill which is feared. Two members, each of whom has a bill to get through, or one of whom desires to prevent his railroad from being interfered with while the other wishes the tariff on an article which he manufactures kept up, make a compact by which each aids the other. This is log-rolling: You help me to roll my log, which is too heavy for my unaided strength, and I help you to roll yours.

Readers of *The Annals of the American Academy of Political and Social Science* will doubtless be ready to concede that public sentiment has for some time been running strongly counter to present tariff-making methods. Public-spirited men, irrespective of party affiliations, have declared against such methods; public-spirited organizations have passed resolutions condemning them; with one voice the press has ridiculed them. What may not be so generally recognized is the strong sentiment which has been gaining force within Congress itself in favor of putting an end to the present chaotic state of affairs. A few expressions from men who have actually been "through the mill" will serve to bring out this point. In a speech referred to above, Senator Beveridge said:

At the public hearings the committee rooms overflow with representatives of various interests. The private hearings are equally congested. Both are rushed and confused. At these hearings there is no time, no opportunity to go into any one subject thoroughly; no time, no opportunity to test the statements there made; no time, no opportunity, to verify a single supposed fact. The most

honest and alert man could not possibly prevent, or even know about, incorrect statements; and the best of men might be excused from making a tariff rate which they did not intend to make, and which, had they known all the facts, they never would have made.

He then quotes a signed article by Senator Vest in which the latter says:

I look back now upon what occurred during the Wilson-Gorman bill as a nightmare, from the effects of which I have never recovered. Before the conference ended three of the conferees had broken down under the constant strain to which we were subjected.

A few more may be selected from the rapidly accumulating body of statements which seem to unite in their disapproval of present methods of tariff-making:

Congressman E. J. Hill, of Connecticut:

I hope never to see another general revision of the tariff with its consequent upheaval of our whole industrial organization, and with the abominable trading and dickering which inevitably result therefrom.

Senator Norris, of Nebraska:

The methods by which the tariff has been revised in the past are unscientific, illogical, and out of date. This applies to every tariff that has been enacted.

Senator Root, of New York:

We have been here for over three months considering and discussing and voting upon the measure of protection that it is necessary to give in order to keep alive and prosperous the business of tens of thousands of corporations engaged in the manufacture and trades affected by the protective tariff. Upon one hand we have garbled statements; upon the other equally garbled and partial statements; and no means of distinguishing the truth. We are under the necessity of proceeding by guesswork, by conjecture, always with dissatisfaction, because we recognize the chance that we have guessed wrong about whose statements came nearest to the truth.

Senator Gore, of Oklahoma:

Burke said that statesmanship is the science of circumstances. Few there are who will deny the potency of circumstances. But few there are who will deny that facts are the best touchstone upon which to try the virtue of theory; few who will assert that taxable articles can best be determined by intuition, and the rates of duties best determined by inspiration. . . . It is no disparagement to the Congressional committee to relieve it of the toil of assembling facts, collecting and collating data. Shift that drudgery to somebody else, and allow the Congressmen the luxury of analyzing and reflecting upon the facts, to decide

as between the old and the new system. It is not necessary to convict the old system as being the worst possible system; it is only necessary to find that the new system would be the better system. Whom has the old system satisfied? Has it satisfied the advocates of high tariff? Has it satisfied the advocates of low tariff? Has it satisfied the country? Has it insured industrial peace, and commercial progress and prosperity? Why, my friends, the most elaborate and most colossal works of fiction ever produced in the United States are the tariff hearings before the Finance Committee of the Senate, and the Ways and Means Committee of the House. As works of fancy they are unrivalled by the Rape of the Lock. As works of the imagination, they are unapproached by *Paradise Lost*. They have all the function of *ex parte* testimony on the part of interested witnesses, alternating between violent hope and violent fear. Every temptation to misstatement is present. Nearly every obligation to truth is absent, save conscience alone, and their consciences are under such perfect control.

An attempt has been made to emphasize the fact that tariff making is a most vital matter, and that it is handled in a most unsatisfactory manner. In saying this, it is fair to point out that no unreasoning attack on Congress is justified because of the situation as it now stands. Persons in a position to know declare that the Underwood Tariff Act was framed in a more conscientious manner than any act we have ever had. It is well known that the men responsible for it worked themselves to the verge of exhaustion in an attempt to produce a fair result. But the point seems to be that in striving to lay plans to make our democracy efficient we cannot rest content with the conscientious failures of amateurs. Speaking wholly without political bias, it may be stated that the Underwood Bill is calling forth the same criticism which has been so generously heaped upon its predecessors; and that the party which happened to be in power when it was enacted into law is now conscious of the need of many changes in the measure. No one would deny that if five or six of the able members of the Ways and Means Committee were to give their entire time during a number of years to the study of tariff making, they could equip themselves to treat the matter adequately. But what would their neglected constituents say? What would happen to the other business to which each leader in both chambers is obliged to attend? Obviously such a plan runs counter to the normal and reasonable course of business in a representative body. The situation, therefore, appears to be something like this: Under the Constitution, Congress is required to pass laws bearing upon taxation. The tariff is a taxation measure. The ablest Committees in Congress

have demonstrated through three generations the fact that they were not equipped to carry out, in a manner satisfactory to the country, this duty of framing tariff acts. And the organization and duties of Congress are such that no permanent body equipped to handle the tariff ever can exist within Congress itself. Have we an instance here of an irresistible force striking an immovable body?

An effort will be made briefly to suggest a way out of this apparent *impasse*. The solution would seem to lie in this direction: that Congress has not discharged its whole duty to the people in merely framing a tariff act; its duty involves the framing of an adequate, scientific and non-political tariff act. If Congress, therefore, is unable to perform this duty unaided it should not attempt to delegate it, but should call to its assistance a body of men of the highest qualifications who would devote their whole time to studying the facts which properly underly all tariffs, whether high or low, together with their interrelationship, and their significance both as to domestic and as to foreign conditions, in such manner as to enable Congress to enact a law which will be in the best interests of the country as a whole. More than this, such a body would be able to keep abreast of the changing conditions at home and abroad and to enable Congress to meet new necessities as they arise, schedule by schedule, without the wholesale revision which has so long been the bug-bear of consistent progress and prosperity in the United States. Such is the plan in France, for example, where several hundred minor tariff changes have been made during the last few years—but always upon the basis of carefully ascertained facts, and in such a gradual manner that no business disturbance has been precipitated.

This suggestion appears to be gaining considerable favor throughout the United States. It appears to be the only answer to the problem. It may, therefore, be of interest to outline the best thought along the lines of a tariff board, or a tariff commission, as it has so far developed. It may be said at once that no tariff commission of the sort which the importance of the subject demands has ever existed in the United States. The commission of 1882 was created for a period of six months, during which time an independent body can hardly do more than can a Congressional committee towards producing a satisfactory tariff. The Tariff Board appointed by Mr. Taft in 1909 was not an independent commission



established upon broad lines. The Payne-Aldrich Law provided for the establishment of minimum and maximum tariff rates, and gave authority to the President, in determining such rates, to appoint experts to assist him. Mr. Taft followed this authorization, and dubbed the experts a "Tariff Board." Congress did not feel bound to continue this body, however, and in 1912 the Chairman of the Committee on Appropriations in the House saw to it that no appropriation for salaries or expenses of the Board was authorized and it thereupon automatically ceased to exist.

It is further generally conceded that the salaries paid to Mr. Taft's experts were not high enough to attract, in the majority of cases, men of the calibre demanded. And yet the work of that Board, so far as it went, was valuable, and was actually used and relied upon by Democratic members of the Ways and Means Committee in framing the Underwood Bill. In stating this fact, Senator Owen, of Oklahoma, in a recent address favoring a tariff commission, laid emphasis on the fact that the Committee on Banking and Currency of which he was chairman, found the report of the Monetary Commission of the greatest value in connection with the framing of the Federal Reserve Act. There seems to be no doubt in the minds of the constructive men in Congress that where an elaborate array of reliable facts is needed as a basis of legislation, the proper course is to employ the best men available in the country to devote their whole time to ascertaining those facts. Any other course would seem to be out of line with what the citizens of the United States have the right to demand.

It seems to be admitted very generally that the most important consideration in connection with all commissions is the character of the personnel. The most skillfully drafted statute providing for the establishment of a commission is hardly more valuable than waste paper if the appointments made under its authorization are mediocre. It is, therefore, a notable tendency of recent proposals for a tariff commission that they involve adequate salaries, on a par, for example, with those paid to members of the Federal Reserve Board. It has been urged further that a permanent annual appropriation be provided for, as was done in the recent Smith-Lever Agricultural Extension Act. Under such a provision, a commission cannot be cut off by the mere failure of a committee to insert the item in the annual appropriation measure. It is

necessary for a member of Congress affirmatively to bring forward a bill cutting off the necessary funds, to get this bill through the House and the Senate, and then to get it signed by the President.

Finally, it should be said that it is not contemplated that such a commission should make recommendations to Congress as to specific rates of duty, unless called upon to do so. The commission is proposed not to supplant nor to combat, but solely to assist, Congress. Then, if the right sort of men are appointed and give their time and energy to the study of this one great subject, it will not be long before they will come to be recognized as tariff authorities, and it is the tendency of the times that when they are so recognized, they will be freely consulted and increasingly relied upon both by Congress and by the President.<sup>1</sup>

This suggestion is not a new one. But it is doubtful if there has been a time when its importance was greater. The unprecedented changes in commercial and industrial alignments, both at home and abroad, make necessary a far-seeing and statesmanlike study of national necessities. Press dispatches indicate that all the nations of Europe which will be our rivals after the war are, without exception, giving some sort of expert attention to their probable commercial needs after the war, with special reference to the framing of reciprocal tariff arrangements. We cannot afford to leave work of this sort to government bureaus, under political and temporary secretaries. What seems to be demanded is a small body of the best men available who shall consider this matter continuously, independently, and non-politically.

A great opportunity is presented to us; it may be said that a great crisis confronts us. Not our commercial prosperity alone is at stake. There is involved also the cause of democracy and liberty for which this country has stood forth as the leading champion for over a century. Great causes call for treatment along great lines. It is not solely a question of ending our log-rolling methods of tariff making. It is a question of letting the light of day into our whole governmental system; of using modern machinery to produce modern results; of ceasing to muddle along and of adopting instead adequate methods of preparedness for peace; in short, it is a question of taking the great, fundamental steps which are so potentially, so immediately indicated in the process of proving that a democracy can be efficient.

<sup>1</sup> Since this article was written a bill has been introduced in Congress by Representative Rainey, largely embodying the suggestions here made.

## SPOILS AND THE PARTY

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The American people have always been complacent about the abuse involved in the spoils system. The enthusiasm for civil service reform has affected "intellectuals" but not the man in the street. Even those who pretend to an interest in the efficiency of the public service are apt to think the advance already accomplished much greater than is the case. When we read about spoils it is usually the story of a fight for their elimination in a specific service or a comparison of present-day standards with those of a generation ago but we are apt to overlook the fact that taken as a whole our party government is still spoils government. The civil service reform movement points the way; it does not represent a cause won.

This is true whether one considers national, state or municipal politics. The greatest party asset of a financial sort in the average campaign is still not the funds contributed by interested and disinterested followers nor even the franchises or contract plums which may be handed over to the faithful, but the prospect of profiting by what Senator Marcy long ago characterized as "the rule that to the victor belong the spoils of the enemy." As a means of getting party work done money contributions are of less importance than the patronage which is to be the reward of workers "who are valuable when the campaign is on."

### *Spoils in the Federal Service*

The advance in the elimination of spoils has been more conspicuous in the federal than in the state and municipal governments. Each administration advertises its good deeds in connection with the civil service in order that it may profit as much as possible by the effect on public opinion. The Civil Service Commission announces,

The government is doing more work with fewer employees and with increased economy and efficiency. Each year sees a more intensive application and observ-

ance of the rules, because the commission is coming into closer touch with the entire service and because of the coöperation and support of appointing officers.<sup>1</sup>

and the Council of the National Civil Service Reform League reports,

The past year demonstrates the constant growth of popular sentiment throughout the country in favor of the merit and efficiency system. Even in Congress the tide has turned against the spoilsman.<sup>2</sup>

These statements are true, but what has been done should be supplemented by an exposition of what still remains to be done if the real picture is to be secured. There are estimated to be at least 475,000 persons at present in the employ of the executive branch of the national government. Their aggregate salary is about \$400,000,000. A third of a century after the enactment of the basic Pendleton Act there are still only 61 per cent of the positions by number under the strict competitive system.<sup>3</sup> The advance we have made, too, is chiefly in the lower and middle grade positions. The higher, better paid, supervisory positions are to a greater degree still the prize of victory at the polls. When we remember that the men in these positions are usually in charge of the work of those who have minor positions of either temporary or permanent tenure it is easy to understand why it is so difficult to insure that efficiency records shall be reliable and underhand methods of inducing campaign contributions of work and money difficult to prevent. This army of senate-confirmed political agents comprising the higher class postmasters, the collectors of customs and internal revenue, district attorneys and marshalls scattered over the entire country are servants of the party primarily and of the people in only a secondary degree. Too often their official duties are nominal only, taking their attention for an hour a day or a day a week, the rest of their energy being devoted to directing the course of politics. Ex-President Taft's recent suggestion that the postmasters of higher grade be abolished since the assistant

<sup>1</sup> *Thirty-second Annual Report of the United States Civil Service Commission, Washington, 1915, p. 5.*

<sup>2</sup> *Proceedings at the annual meeting of the National Civil Service Reform League, 1914, p. 64.*

<sup>3</sup> Dana, R. H.: *Good Government, Supplement* (New York) January, 1915, p. 9 et seq. *The Thirty-second Annual Report of the United States Civil Service Commission, Washington, 1915, p. 5,* reports that there were on June 30, 1915, 476,363 officers and employees in the executive civil service.

postmasters do the work anyway, may not be good politics but it points to a very real abuse in our public service.

*Spoils in State and Municipal Service*

The employees of our states have a total salary list of not less than \$300,000,000.<sup>4</sup> In by far the majority of these smaller political units there is not even a beginning of legislation to reform the civil service. Even a list of those which have civil service laws gives the impression that greater advance has been made than the fact justifies. In some commonwealths and municipalities, however, an improvement over the federal legislation is found in that the higher positions have to a greater degree been put upon the merit basis.

State legislation for the merit system in the civil service is in fact almost a matter of the last decade. Before 1905 only New York and Massachusetts had competitive examinations for their state services. In that year Wisconsin passed a state-wide act and Illinois one applying to state charitable institutions. Three years later New Jersey fell into line. Illinois in 1911 passed an advanced law. The next year Colorado applied the merit system to the entire state service and in 1913 Ohio passed a law to affect the service in state, counties and city school districts. California and Connecticut passed more conservative measures.

The last two years have on the whole been a period of reaction in civil service legislation in the states. Kansas passed an act applying to the state service, and New Jersey made important improvements over her law of 1908 and in Louisiana a law was passed creating a civil service commission to have charge of the employees at the port of New Orleans. Elsewhere the outlook for extension of the merit system was not encouraging. In the legislature of Connecticut there was a determined effort to repeal the law passed in 1913. Though unsuccessful, an amendment was passed which in effect allows any head of a department and any state commission to secure exemption from the law. The legislature of Colorado seriously weakened the law in that state. An attempt to provide for the certification to the appointing authority of the entire eligible list instead of the three highest upon it was only defeated in Wisconsin in the Senate. The Ohio legislature in-

<sup>4</sup> Dana, R. H. in *Good Government*, Supplement, Jan., 1914, p. 9 *et seq.*



creased the number of exempt positions. In California a bill to devitalize the Civil Service act was killed only by the "pocket veto" of the governor.<sup>5</sup>

In the municipal services the spoils system is still in all but exceptional cases in unquestioned control. In some of the states with civil service laws there are attempts to put the city services on the merit basis and this is true also of some cities in other states. But in the typical American municipality, with the exception of school teachers, firemen and the police, there is permanence and a legal test of fitness in neither the higher nor the lower ranks of the public service.

#### *Why Extension is Difficult*

The review of recent developments indicates that the problem which presents itself to the friends of the merit system is often not what extension can be secured but how can what has already been obtained be safeguarded.

The pressure to overthrow the laws already passed is especially strong whenever a change in administration involves also a change in party politics. In fact, the legislation by which the "classification" of public employees has been extended may not be devoid of partisan character. Such is the case for example when a certain branch of the service formerly filled by political appointments is "covered into" the classified service without an open competitive examination. Under such conditions it may well seem to the new party coming into power that their defeated opponents have filled the offices—by political appointees—and then given them permanency of tenure by putting them under the civil service rules thus in effect making a new rule—"to the vanquished belong the spoils," which is hardly a better maxim than the original one.

In 1908 President Roosevelt put under civil service rules some 15,000 fourth-class postmasters in the territory northwest of the Ohio River. Those then holding these offices, chiefly political appointees, were not required to take any examination. In October, 1912, shortly before the election in which it seemed practically certain the Republican party would be defeated, President Taft "covered in" all the remaining fourth-class postmasters, about 36,000, also without examination. Naturally these actions were not

<sup>5</sup> The recent developments in the states are discussed in *Good Government*, Supplement, Jan., 1916, p. 13-14.

looked upon with favor by the Democratic administration which followed that of Mr. Taft. President Wilson did not, however, revoke the executive orders of his predecessors but he did amend them by providing that no fourth-class postmaster should be given competitive classified status unless "he was appointed as the result of a competitive examination or shall be so appointed."

Even if a party does not set about to repeal the civil service law directly so as to open up more positions for its favorites, it may, through riders on important legislation, place certain classes of offices outside the merit system and see to it that the new places created by its legislation are filled under rules which will allow a free hand in appointments. Often, too, the administration of the law may be so manipulated that all vacancies that arise under it may be filled with good party servants even though the letter of the law be observed. Examples of the first of these practices are frequent in the recent history of the federal civil service.

Since 1913 Congress has shown reactionary tendencies in this sort of legislation by (1) excepting the field income tax collection force from the operation of the civil service law, (2) removing from the classified service deputy collectors and deputy United States marshalls, (3) excepting the employees of the Federal Reserve Board from the operation of the act, a bill passed only by the deciding vote of the Vice-President in the Senate, (4) providing—following the suggestion of the Secretary of Commerce—that fourteen new positions as commercial attaché should be filled without application of the civil service rules, (5) exempting attorneys, special experts and examiners of the trade commission from the operation of the law. Attacks have been made also upon the Indian service and repeatedly upon the post-office service.

Illustrations of the management of the law so as to allow *de facto* control though the civil service rules are in form observed can be cited in great number in both state and federal experience. The abuse is especially liable to occur where the number of competitors in the examination is small. If the law provides that the three with highest standings shall be certified to the appointing authority it will often be possible to appoint the man who would have been appointed under the spoils system. Of course, this practice is still easier where the appointing authority can reject those certified and ask the addition of supplemental names. The

thorough elimination of political manipulation of this sort is only possible where the administrative officer has at heart the enforcement not only of the letter but of the spirit of the law. Even if legislation specifically prohibited the transmission of any information as to the candidates' politics to the appointing power, it would be impossible to insure its proper enforcement if the administration did not share the desire for a non-partisan service.

The working of the federal regulations in this particular may be illustrated by the appointments to fourth-class postmasterships. Section 10 of the Civil Service Act reads:

No recommendations of any persons who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any persons concerned in making any examination or appointment under this Act.

In the examinations for fourth-class postmasterships—now under the act by executive order—there are seldom more than three or four candidates. Consequently, if the man who would have been appointed under the spoils system passes he is fairly sure of the place he seeks. Postmaster-General Burleson is reported to have publicly solicited recommendations of members of Congress to guide him in making appointments to fourth-class postmasterships.<sup>6</sup> It hardly needs demonstration that the political advantage of having appointees in every hamlet in his district is an important asset to the Congressman. Other appointments in the departments at Washington may be similarly influenced and this obligation under which the appointee feels himself when originally placed may from time to time be increased as he comes up for promotion or is saved from demotion. Not only therefore does the spoils system still control the higher offices but it has an indirect influence upon ranks of the service which may be on paper "classified."

These various ways in which the pressure for patronage makes itself felt in the branches of the civil service already "classified" are symptomatic of the great demand for the offices still filled without reference to the civil service law. Civil service reform, unlike some other propaganda, does not prosper on its own success. It does not accumulate added momentum with each victory, even though the benefits attendant on the adoption of the

<sup>6</sup> *Good Government*, New York, Jan., 1915, p. 1.

merit system be easily demonstrable. Indeed, in some ways every advance makes the next step more difficult. The dispenser of patronage tightens his grip with every loss of power he suffers, the clamor for the remaining offices becomes more persistent, and the public are only on exceptional occasions aroused to an interest in the importance of the civil service issue.

In the present state of the public mind there is little likelihood of any rapid and continuous advance in civil service legislation by the federal government. In the states and cities more may be accomplished both because less has already been done there and because there the public is in closer contact with the officials. On the other hand the average campaign will even here turn on more spectacular issues. In any case what concessions may be secured will be determined by the opinion of the political parties as to whether they can get along without the highly valuable perquisite—the power to distribute offices. ( The increasing legitimate expense of campaigns coming at the same time as the popular demand for limitation of the sources, amount and purpose of political expenditures, taken with the demand that the valuable asset of spoils be given up, puts the parties in a difficult position. In this situation the corrupt practice acts and civil service reform come to stand in a peculiar relation to each other. The argument runs: if you limit too strictly the sources from which money may be solicited and the amount which may be spent in a campaign you must make it up by letting the candidate distribute offices—money value—in another form. Neither alternative is attractive but to a degree the opposition appears real, at least as to the stricter limitations on amount of expenditure found in the more drastic corrupt practice acts.

*Lessening the Demand for Patronage by Creation of Other Party Assets*

The way out of the dilemma frequently suggested lies in the creation of some other source of support for the parties thus lessening the pressure for place. There are a number of ways in which this could conceivably be done none of which seem both satisfactory and practical.

It has been suggested that we may develop a class of men of means who, their private fortunes being sufficient to their needs, will devote themselves to public affairs and bear the expense of their own candidatures. The answer is that at present we have no

such class, that a distinction of this sort separating candidate and electorate would be unwelcome to American public opinion and finally that few would be able to bear the expense of a thorough campaign in a large state and none that of the national elections.

Dependence on the great economic interests as a means of relieving pressure for patronage has been suggested. Our previous experience with alliances between big business and politics is not encouraging. Any contribution has at least the appearance of a purchase of immunity from hostile governmental action. There are plenty of illustrations that this is frequently the practical consequence; for examples read the history of Gould's expenditures for the protection of the Erie railroad in New York or the current exposures which show that in return for campaign contributions certain companies have received the promise that they might appoint the men who were to inspect their factories.

The most democratic and from all points of view the most attractive proposal is a greater dependence on the "rank and file" of the party—that is, a dependence on small contributions. Efforts to create a basis of this sort have not been lacking in the larger parties, probably not only from a belief in the correctness of the theory that the party as a whole should bear party expenses but also from the belief that a member who contributes has his loyalty to the party strengthened. To popularize support, the Republican party, so the chairman of the national committee later testified, had between seven and eight hundred representatives in Chicago alone soliciting campaign funds in 1908. The Democrats also have several times used similar methods as did the Progressives in 1912. But such methods are more important in the parties out of power and in those which have no chance of victory. In the larger parties in our times they have never brought in a large percentage of the total which passes through the war chest. Not until we have a radical and at present at least unexpected change in the attitude of the average voter can we hope for a cutting down of pressure for spoils through this means.

An interesting set of experiments in lessening the necessity of large funds or their equivalent for the work of parties are the laws passed in various states to transfer to the public treasury part or all of the expense of campaigns. In the first class are the so-called publicity pamphlets, the first use of which appeared in



Oregon. The state undertakes to publish at a rate below its actual cost a limited amount of campaign material and send a copy to each voter. This it is held will cut down the necessity of spending so much money in circularizing the electorate and give each party an opportunity of answering the arguments of its opponents in a way which will bring the clash of opinion forcibly to the voter's attention. The reception of such schemes has been by no means uniform. It seems to have met with a fair measure of success in Oregon, but the similar Wisconsin experiment has proved a failure. Though the pamphlet was generally used when it was first established, the following election showed a marked falling off of interest and the legislature of 1915 repealed the law.

Of a somewhat similar effect is the practice under which large amounts of campaign literature are now printed at the instance of members of Congress and given wide distribution under congressional frank. Of course, this is a less straightforward and defensible means of shifting to the public purse what are in fact party campaign expenditures.

Colorado passed a more thoroughgoing measure than the publicity pamphlet laws referred to. It provided:

That the expenses of conducting campaigns to elect state, district and county officers at general elections shall be paid only by the state and by the candidates for office at such elections. . . .<sup>1</sup>

Within ten days after nomination of candidates the state treasurer was to pay the chairman of the state committee of each political party a sum equal to twenty-five cents for each vote cast at the last preceding general election for the nominee of the party for governor. The state chairman was to turn over to the county chairman sums equal to twelve and one-half cents for each such party vote within the county. Candidates for office could turn over to the committees in charge of the campaign in their districts an amount equal to 40 per cent of the first year's salary of the office or if the salary were paid by fees an amount equal to 25 per cent of the fees collected in the office in the preceding year. After the election the various chairmen were to report the amount and purposes of all expenditure.

At first sight this looks like a logical extension of the process of legalization through which parties have been going for now well

<sup>1</sup> Session Laws of Colorado, 1909, p. 303, Ch. 141.

over a generation. Primaries are regulated, the rent of the places where the voting occurs is paid by the public, the officers of election are paid by the state, the ballots are printed at state cost and as indicated above in some states the cost of circularizing the electorate is borne at least in part by the public treasury. The payment of the rent of halls in which the campaign meetings are to be held, payment for party watchers and similar expenses seem a logical extension of the same development.

There seems to be good reason to believe that a carefully drafted measure might accomplish at least part of the purpose aimed at in the Colorado act, which in fact was never allowed to control an election. The state Supreme Court took original jurisdiction in the unreported case of *Jesse McDonald v. W. J. Galligan* and declared the act unconstitutional. No opinion was rendered in the case.<sup>8</sup> What imperfections the court found in the law it is, of course, impossible to state. Even if the act were upheld it is evident that a distribution of funds on the basis of the vote cast at the previous general election may not give the support to parties in proportion to their strength at the election about to occur. Further the law would act as a discouragement to new parties and independent candidacies. It might lead to a stereotyping of political action where free association and flexibility are most to be desired.

The review of the methods proposed and tried to put the parties in a position where they can feel that the asset of patronage is less essential than at present does not leave us hopeful for rapid and general elimination of the spoils system. The fact that we are accustomed to political distribution of offices would of itself make progress in such matters difficult, for except under unusual circumstances political habits change but slowly. More important probably is the feeling on the part of the political leaders that they cannot get along without the patronage until an equivalent asset is developed. This feeling is especially strong in the case of the federal government. In the states and municipalities there is room for greater advance without interferring with resources alleged to be necessary to the party. Here in the smaller units the patronage may probably with greater force be asserted to be more

<sup>8</sup> Letter from R. E. C. Kerwin, Assistant Attorney General of Colorado, November 26, 1915.

a prize for skillful party organization than a means of sustaining party action. That power exercised through the patronage is, in these smaller units, greater than is necessary to healthy party life—granting that under present circumstances the elimination of the spoils system entirely is impracticable—seems to be demonstrated by the experience of the states with the better civil service laws. It is here, therefore, that the greatest advance in civil service reform may be accomplished in the near future, an advance which waits only for the development of an aroused public opinion which will make the demand.

## INCREASED EFFICIENCY AS A RESULT OF INCREASED GOVERNMENTAL FUNCTIONS

BY RALPH E. GEORGE,

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Efficient administration of public affairs is dependent upon three factors: first, popular demand for efficiency; second, employment of trained managers, and third, responsibility of public officials to the voters. Of these three, the public demand for efficient administration is fundamental. The average man, whether the employee of public or private concerns, feels slight desire to secure maximum efficiency when his employers do not demand it. On the other hand, if his employers require him to prepare his work efficiently, he will do so. The usual office holder does what he has to do and little more. In order, therefore, to secure in public affairs economical management of the kind which gives a dollar's worth in goods or service for every dollar spent, the employers must want efficiency. Since the voice of public opinion rules America, popular sentiment, expressed through elections, must call for able and economical management if the public's business is to be well done.

Nevertheless, public demand will fail to secure the desired effectiveness in government management unless competent methods of administration are used. In modern business, the whole machinery of scientific management has been built upon two principles: first, the ablest managers must be trained and employed; and second, these managers must be strictly responsible to their employers. The adoption of these principles is as essential to the success of public undertakings as to that of private enterprises. If the people expect to secure good management, they must employ good managers who have been rendered expert by long and rigorous training. The most eager popular desire for efficient public administration will fail to secure the fulfillment of its wishes unless the ablest men attainable are directing the public business.

Even the employment of able managers, however, will be insufficient if the public cannot hold its employees strictly responsible

for every act. The operation of scientific management in corporate affairs has clearly shown that the best results are obtained from the strict responsibility of all officials to their superiors. Criticism from superiors has proved a salutary spur to greater efficiency. Unless public employees are subject to similar responsibility; unless they are rigidly accountable for their actions to the public, the management will not attain the highest efficiency. Such, then, are the essentials of efficiency in government administration: first, an intelligent popular demand for efficiency; second, the employment of trained, able managers; and, third, responsibility of the managers to the people. But in the past these essentials have been sadly lacking. It is not surprising that the people were not interested in efficiency, for they were absorbed in the attainment of honest government. In the cities, the states, and the federal government, rogues and corrupters seemed omnipotent. The period from the end of the Civil War to the opening of the twentieth century displayed alarming bankruptcy in the national morals. The first centennial of the United States was celebrated in the midst of startling disclosures of corruption, defalcation, and perjured trust in local and national governments. The Tweed ring, whiskey frauds, credit mobilier, Nebraska frauds, and many other instances of corruption indicated the general demoralization.<sup>1</sup> To conquer this canker the people bent their energies, striving to enforce the adoption by public servants of higher moral standards. The election of honest men was the desired achievement and the day is not long past when the prefix "honest" would elect men to office. The prevention of corruption, not the establishment of economical management, has been the great task confronting the American people.

It is also to be noted that, had the voter been interested in efficiency, his lack of knowledge concerning the business of the state would have rendered his desire ineffective. Criticism of the administration, the only way whereby the voter can enforce efficiency, requires thorough knowledge of what the government is doing and of what constitutes efficiency. With regard to the voter's ignorance of these matters the National Tax Association's Committee on expenditure says:

<sup>1</sup> Vide Dunning, *Reconstruction, Political and Economic*, chapters 13, 14.



The electorate must pass judgment upon the work which its servants do. It does not have this knowledge, the legislature does not have it. Electors vote and the legislature passes appropriation bills without authentic facts before them. Ignorance of public work, its difficulties, its effects, and its cost; and indifference—the product of ignorance—are probably the most fundamental causes of inefficiency in public service.<sup>2</sup>

Unable to secure (from the reports of public officials) any valuable information as to where the money went, the inquiring voter has been further handicapped by the lack of definite standards of efficiency with the result that the better class of voters has been absolutely unable to submit the administration to the test of criticism. If the better educated citizens were helpless, conditions were much worse in the case of the majority of the electorate. The combined influence of insufficient knowledge added to the distraction resulting from widespread corruption rendered the people helpless and uninterested in the effort to secure greater efficiency.

It is natural that the general failure of the public to demand efficiency was accompanied by defective methods of administration. The expert essential to efficient administration was almost unknown in public life. He has been opposed by the spirit of localism in America which would forbid the employment of the outsider. So marked has been this spirit that recently, in the city of Philadelphia, the grand jury criticised the administration for employing capable men not residents of the city.<sup>3</sup> To the support of this attitude has come the political organization, interested in maintaining its power built upon the gift of offices, and recognizing that the employment of experts would not only displace political appointees, but would, by eliminating sinecures, make those politicians still in the public service perform satisfactory work. Against the politician the expert has made little progress. Furthermore, out of this discouraging condition has come another handicap. The unpromising future of the expert in government work has deterred many from preparing themselves for such service, with the result that the limited supply of trained public servants has precluded any widespread employment of experts.

It is not only by the failure to employ experts that efficient

<sup>2</sup> *Vide* Eighth National Tax Conference, p. 367 ff.

<sup>3</sup> *Vide* Clyde L. King, "The Appointment and Selection of Government Experts," in *National Municipal Review*, Vol. III, p. 304.

administration is hindered. The principle that responsibility of employees to employers is essential to good management has been continually forgotten. If public officers are to be held responsible to the public for their administration, they must have the power to direct their work. But under the American system, no official has had sufficient power. The National Tax Association's Committees says:

a fundamental defect is found in the diffusion of power and responsibility. The people elect a legislature to carry out their will and then ordinarily split it into two parts in order that the one may check the other. Executive officers are then also elected, taking their mandate from the people to check and to be checked by the legislative houses. Above all the courts and a constitution often operate to further check the others. This is government for impotence, not for results. —If the people want little done and that little done in an expensive way, we have developed a marvelously effective way of satisfying the people's desires.

Diffusion of responsibility is to be found throughout our system. Disunity of control prevents concentration of authority and responsibility. In Minnesota there are about seventy-five separate heads of administration.<sup>4</sup> In New York state over one hundred fifty were counted.<sup>5</sup> Conflicting jurisdictions and unnecessary directors have sapped the power of officials and made impossible the enforcement of responsibility of public managers to the people.<sup>6</sup>

In the past, then, these three factors—ignorance and indifference of the people; failure to employ experts; and an organization under which responsibility could not be enforced—have resulted in costly inefficiency. With such conditions prevailing, the functions and resulting costs of the government have been rapidly growing. The cost of the national government has increased over 50 per cent in ten years.<sup>7</sup> The states have in the same time increased their expenditures nearly 100 per cent.<sup>8</sup> The cities spent 45 per cent more in 1913 than in 1902.<sup>9</sup> This marked increase in the cost of government finally started the movement

<sup>4</sup> *Vide Preliminary Report of the Efficiency and Economy Commission of Minnesota.*

<sup>5</sup> *Vide Municipal Research*, June, 1915.

<sup>6</sup> *Vide Morris L. Cooke, "Scientific Management of the Public Business," in American Political Science Review*, Vol. IX, p. 488.

<sup>7</sup> *Vide United States Census, Wealth Debt, and Taxation*, Vol. II, p. 33.

<sup>8</sup> *Vide supra*, Vol. II, pp. 34-35.

<sup>9</sup> *Vide Ralph E. George, "Rapid Increase in Municipal Expenditures," in National Municipal Review*, Vol. IV, p. 611.

which is now radically attacking the inefficiency of government. Criticism of the inefficiency of American administration had for a long time been expressed by prominent publicists such as President Wilson and President Lowell of Harvard. Yet this criticism failed to take effect until the enlarged cost of government jolted the American public into a partial realization of the insecure foundation upon which our administration is founded.<sup>10</sup>

Of the various public forces aroused by this high cost of government the most important is undoubtedly the taxpayer. The self interest of the property owner, stirred by the ever increasing taxes and by the fear of worse to come, has been exerting itself to secure greater efficiency as a method of preventing further increases in the tax burden. Chambers of commerce and other business men's bodies have appointed committees on taxation and expenditures to secure remedies for the present situation. In the city of Spokane, the committee of the chamber met almost daily this last fall with the city council for an examination of the budget. Under the stimulating criticism of these representatives of the city's business men, the officials found themselves forced to show where and why each dollar was spent. Not only did the city fathers recognize more clearly their obligations as a result of such sessions, but the business men were better qualified to demand and to recognize efficiency, and through these few representatives the whole body of business men in the city was educated. The experience of Spokane could be duplicated in many another city of the United States. In the states, also, chambers of commerce are doing excellent work. Especially evident is the case of such organizations as the Ohio Chamber. The business men have not stopped, however, with their own organizations. Strong taxpayers' associations have been organized in many states for the purpose of studying the organization and costs of government, disseminating the information secured, and directing a campaign for administrative efficiency. In the state of Washington, numerous local taxpayers' associations have been organized and federated into a state league. Several of these local organizations have mustered sufficient strength to force a reduction of the tax rate and on certain occasions have even defeated proposed bond issues. At the recent meeting of the

<sup>10</sup> Vide Frederick A. Cleveland, "Evolution of the Budget Idea in the United States," in *The Annals of the American Academy*, November, 1915, p. 15.

National Tax Association, furthermore, several state taxpayers' organizations were represented by their officers.

But the commercial opponents of high taxation have found themselves unable to secure sufficient information of what the government services cost and what the same services efficiently performed should cost. To satisfy this want, prominent property owners have met the expenses of organization and maintenance of the modern bureaus of research. The first bureau in this field, that of New York, has proved invaluable in the campaign for greater efficiency. The taxpayers of New York and other cities have been given a liberal education in municipal finance by this bureau. The success of the New York Bureau has resulted in the establishment of over a dozen similar research bureaus by business men of the cities and the number is constantly increasing. Recently the manager of the Chamber of Commerce of Portland recommended that its members establish such a bureau for the purpose of securing greater efficiency in city government. The movement is extending even into the states, where similar organizations are now being established at the demand of the taxpayers. The recommendations of the bureaus, moreover, are given cordial support by the taxpayer. The dissemination of information and the campaign for greater efficiency are strongly waged by the taxpayers. Out of this support has come the municipal budget exhibit, designed to popularize knowledge of government, its costs, results and needs. This last fall the expenses of a budget exhibit for the city of Spokane, attended by over one-third of the voting population, were paid by the Chamber of Commerce. At the present time the president of the National Chamber of Commerce is directing a nation-wide fight for the adoption of a budget by the federal government and for the introduction of greater efficiency into the federal administration. The increased cost of the various organizations of government, then, has aroused the business men to fight for greater efficiency, using for this purpose their old organizations, taxpayers' associations and bureaus of research, and endeavoring thereby to secure the widest possible education of the voters on all matters pertaining to finance and administrative efficiency.

Part and parcel of this same movement of taxpayers is the fight being waged by the large corporations. Officers of the railroads, especially, facing the difficulty of paying dividends at a

time when taxes are taking an ever larger proportion of the revenues, are, in desperation, striving to arouse their stockholders to a realization of what increasing taxes mean to them in the form of lessened income. But even more important than the appeal to investors is the interest aroused among shippers by the demand of the railroads for higher rates to pay the increased taxes. In the recent appeals of the railroads for higher rates (to the Interstate Commerce Commission), the argument was advanced by the companies that they were entitled to higher rates because taxes among other expenses had prevented their earning a fair return upon their investment. This argument has brought home to many shippers in a new form the cost of government and has greatly increased their interest in the efficiency of government.

This opposition to higher taxes on the part of the property owner has, moreover, placed the public official in a difficult situation. On the one hand the citizens are demanding more service, while on the other taxpayers demand lower taxes. Both sets of demands must be satisfied, in part, at least, if the official is to hold his position. But the only way in which both of these conflicting desires can be gratified is by greater efficiency on the part of the office holder. The treasurer of a large county remarked recently that his office was doing more work than ever before and at the same cost. In his words, "they had to, if they wanted a job." The screws have been turned on the office holder by taxpayers and consumers of the public service.

By these various methods the taxpayer is making himself heard. Indirectly, moreover, another force has been focused upon the efficiency problem. The increasing taxes caused so many administrative problems that in 1907 the National Tax Association was organized to seek solutions for the many pressing questions in taxation. Naturally the tendency was for this organization, composed of tax officials and students of taxation, to become interested in the cause of high taxes. While the association was organized primarily for the purpose of securing the better administration of tax laws, this by-product, publicity and discussion of expenditures and public efficiency, has been attracting more and more attention in recent meetings. A committee on expenditures whose report has already been quoted, is directing attention to many of the causes of present inefficiency in the public service.



There are being organized, furthermore, state tax associations, seven of which are now in existence, and all of which are endeavoring to spread greater information concerning the cost of government.

Further consideration of this movement shows that the increasing cost of government has aroused influences other than those primarily interested in taxes. The mere increase in size of public activities has attained widespread attention. In no class has this attention been more prominent than among college educators. College and university professors are devoting much time and effort to discovering the causes of the rapid increase in the cost of government. In the endeavor to ascertain the remedies for increasing taxes they have repeatedly called attention to the need for efficiency. The extension work of modern educational institutions has made possible the wide dissemination of knowledge on the subject of public finance. The old apathy and ignorance of the voter are thus being attacked from another quarter.

More important, however, than the extension work on this subject, is the class room study. Where twenty years ago public finance and administration was seldom taught except in connection with many diverse topics, today this subject is a standard course in the great majority of higher educational institutions. The leaders of the future, so far as they are college men, are being grounded in the essentials of good and efficient government. This form of education, moreover, is in part superior to that maintained by the taxpayer, since the latter cannot do more than point out faults in present administration. The campaign of the taxpayer, desirable though it may be, fails to develop public knowledge upon which the construction of a more efficient administration may be based. The college and the university, in these days of popular education, are able to prepare this foundation. The marked increase in governmental activities, then, by attracting the attention and study of the college, has resulted in a wide and more thorough education in the causes and needs for administrative efficiency.

The increase in public functions, furthermore, has inspired the criticism of administrative efficiency by persons interested in one or more of the new functions. The new activities deal with such diverse questions as land conservation, game protection,

liquor prohibition, protection of women and children, and development of good roads. It should be noted that, before this extension of government took place, the duties of public officials seldom brought them into close touch with the public. Under the present government, however, ramifying into practically every field of activity, the citizen and the official are in close touch. For every new function dealing with questions in which large numbers of citizens are interested, there is greater criticism of the administration. Unnecessary red tape in the preparation of government papers is savagely attacked by the "practical" man. Labor unions interested in the enforcement of labor laws insist upon efficiency in that service. The farmers' organizations of one state eliminated some of the inefficiency in the highways department by their alert watchfulness. The woman's club of one western city started a movement for more efficiency in the penal administration. In the western states criticism of the federal government's unstable administration of the public resources is rampant. The voters of one of the larger cities in the Northwest were enraged by the slowness with which a public utility commission made its report, deciding a local case. In these many ways, the newly expanded government arouses to greater interest formerly dormant groups of citizens. To the increase in public functions is due a greater and more intelligent demand for efficiency than has heretofore existed. On the one hand the taxpayer, alarmed at the prospect of ever increasing taxes, and on the other, the college and the advocate of particular functions, interested primarily in good government and efficient administration, have combined to develop a popular demand for public administrative efficiency.

To change the methods of administration is less easy. Yet here, also, these increased functions of government are bringing beneficial results. For the greater complexity of governmental business and the more technical aspect of the new functions make necessary in many cases the employment of the expert. Forced by utter inability to do some kinds of work, the political appointee has gradually allowed the functionally trained man to enter the public service. In the cities of New York and Philadelphia this change is perhaps most noticeable. But it is more complete in many of the smaller commission governed cities. Here the blighting influence of localism is being more rapidly overcome. In the

highway, water, and health departments the service in some of these cities has been entrusted almost in entirety to technical men. Even an auditor was imported by Spokane from an accounting firm of Chicago. City managers, where this form of government exists, are chosen from a wide field. Not only the city but the state is beginning to depend upon trained men. College professors have been called upon by all the larger states to assist or direct technical departments. In few states would the old type of politician dare to distribute to his followers responsible technical positions according to former fashions. This tendency to employ the expert, moreover, is, through widening the field for employment in public service, attracting to the government a better class of employees. To meet the demand of these men for preparation, universities are giving special courses and new schools are being established. College students are trained for the consular service, direction of state charities, municipal administration, and other branches of government service. It is evident that the increased functions of government, by making administration more difficult, have contributed to a wider use of experts and consequent increase in the number of men trained for such work.

Nor is this the only change in methods resulting from widening public activities. The framework of government is being changed in order that public officials may be held responsible by the voters. The commission form of government, adopted by some sixty cities, and the city manager form, in use in twenty-five cities, are both of the determination to enforce responsibility.<sup>11</sup> The elimination of the party ballot in local elections, accomplished in many states, is another step toward the enforcement of individual responsibility of public officials. The rapid introduction of these changes is due in large part to the greater popular sentiment for administrative efficiency.

The old scheme of government, furthermore, is breaking down under the new burdens. Bryce, writing in 1896, expressed his opinion that the old system "rubbed along because it had little to do." Now it has much to do. The result is friction at all points, inability to accomplish work efficiently, and general demoralization of the government service. So marked has this

<sup>11</sup> *Vide* Richard S. Childs, "How the Commission Manager Plan is Getting Along," in *National Municipal Review*, Vol. IV, p. 371.

hindrance to efficiency become, that even public officers are endeavoring to secure more concentration of power and responsibility. Governor Johnson of California, on taking office finding himself unable to discover what the state was doing, brought about the creation of a State Board of Control having absolute control over the expenditures of the appropriations made for the state departments and institutions. In this way not only was concentration of control secured, but a real state budget, essential to the enforcement of responsibility, was obtained. Somewhat similar legislation has been enacted in other states, notably Ohio and Illinois.<sup>12</sup> The growth of the government business is forcing a change in the organization in order that executives may know what they are doing and the people may be able to fix the responsibility for good and bad acts.

Such have been the results of the increased functions of government. The old conditions, always causing inefficiency, were disclosed by the increased size of operations. So long as the government business was a small scale industry, so long as it did not cost the taxpayer large sums of money to operate, so long as it did not come in close touch with the average citizen, it did not attract attention. The people were not impressed with the importance of efficiency in government. Where they were ignorant they were oftentimes indifferent. But the change in the size of the government's activities has set in motion forces which are rudely shocking the indifferent citizen. The dissatisfaction of the taxpayer, including the large corporations, has been manifested in a campaign of education on public administration and efficiency; the interest of the college aroused by the spectacle of so big a public enterprise has resulted in collegiate study of these problems; the desire of classes interested in some particular function to secure satisfactory results, has broken down much of the old indifference. In place of popular carelessness, is coming an intense public demand for efficiency. And the same influence is changing the old methods of operation through the introduction of experts and through the reorganization of government to secure greater responsibility.

But these changes do not come in a day. The mills of the gods grind exceeding slow. The change of popular opinion is a slow and tedious process, the results of which do not always

<sup>12</sup> Vide *The Annals of the American Academy*, November, 1915, Part II.

appear clear. The effects outlined of increased functions are making themselves most visible in the cities where taxes are higher, government more closely in touch with the people, and the demand of the public for service more emphatic than in the state or national governments. The same forces, however, are gradually extending to the larger, more remote governments. Through these influences the desires of the people are being moulded and finally in the intelligent desires of the people lies the hope of a greater administrative efficiency.



## SOME EFFICIENCY METHODS OF CITY ADMINISTRATION

BY JOHN ALLDER DUNAWAY,

University of Pennsylvania.

In some quarters such a title as the one this paper carries will be considered inapt and misleading. Some people assume that efficiency and city administration are as far apart as the poles. Much has been said and written about the inefficiency in city affairs. Along with this goes an assumption that there are methods of efficiency open to the manager of private business that must forever remain a closed book to the city administrator; in short, that a man placed in charge of a private enterprise would be efficient, while the same man placed in charge of a similar business operated by the city would be inefficient. Perhaps these two complementary assumptions explain in part the widespread fear manifested at every extension of the city's activity, which fear for some reason or other is always more acute in connection with the city's operation of profit making or income bearing projects. If these two assumptions are true, then it is indeed a sad day for us, since the city already conducts an enormous business, whose extent and scope show no signs of decreasing.

However, there is a growing disposition to question these two assumptions. First of all there is at least a suspicion that privately conducted business is not 100 per cent efficient. These assumptions grow into specific charges, quoted freely in the current press, as having come from the Secretary of Commerce; they come to light in suits against public utility companies<sup>1</sup> and in studies of unemployment, and other studies of industrial conditions.<sup>2</sup>

It is the purpose of this paper to describe a few methods already in use in the city government of Philadelphia which, in results accomplished, point toward efficiency. They are significant in that they indicate the possibility of the city administrator's bringing to his aid such methods of management as are found useful in the

<sup>1</sup> *Cooke et al v. Phila. Electric Co.* Pub. Ledger (Phila.), Dec. 27, 1915.

<sup>2</sup> *Report on Unemployment in Philadelphia, 1915*, by Joseph Willits.

industrial world in solving similar problems, and that there is no natural antagonism between efficiency and city administration. Now to the writer efficiency is, at most, a relative term. It involves the setting up of definite standards by which progress can be measured. One valuable comparison in this connection would be that of methods employed in city administration with those of privately conducted business. Limitations of time and space prevent such a comparison at this time. This paper will be confined to methods employed in city administration, and by contrasting the past with the present, it is hoped a measure of progress may be presented.

### *1. Concerning the Adjustment of Bills Against the City*

Anything that cuts the red tape, and insures the speedy and satisfactory payment of bills contractors and tradespeople have against the city, increases the number of bidders upon city contracts and supplies, and thereby increases the city's chance of securing a more favorable price on such contracts and supplies. The amount of bother to which a creditor of the city is put in getting a bill paid is a matter of little concern to most of us. But it is safe to say the city has paid for all of it, and more.

Bills against the city of all kinds are settled by warrant. When the Blankenburg administration came into office, there were found in practically each division of the service, warrant orders that differed from one another in size, style and color of paper. To remedy this condition there has been instituted an order which is in the nature of a check and stub—the order or check end being framed in such a fashion that it can be deposited in the bank and the stub end or departmental receipt being returned to the office forwarding the order. The difference in styles is shown on page 91 (a) being the old style and (b) the present order in use.

The warrant order-receipt is now in use throughout the entire Department of Public Works, and other municipal departments. It has saved considerable time of city employees and those having business with the city. Under the old system it was necessary for the clerk having this matter in hand to write out a post card notifying the individual to call and receipt for warrant order. Then when this was done the latter would go to the City Controller's office and possibly be compelled to wait an indefinite time owing to congestion of business, after which he would go to the City Treas-

urer's office and cash the warrant. Finally he would take the cash received and deposit it in bank. Under the new procedure as soon

DEPARTMENT OF PUBLIC WORKS  
DIRECTOR'S OFFICE

PHILADELPHIA \_\_\_\_\_ 191\_\_\_\_\_

JOHN M. WALTON, ESQ.,  
CITY CONTROLLER

DEAR SIR:

PLEASE DELIVER TO \_\_\_\_\_

OR BEARER, WARRANT NO. \_\_\_\_\_ FOR \$ \_\_\_\_\_

YOURS VERY TRULY,

CHIEF CLERK

(A)

DIRECTOR'S OFFICE DEPT. OF PUBLIC WORKS PHILADELPHIA	WARRANT RECEIPT	NO. _____ AMOUNT \$ _____	WARRANT ORDER (THIS ORDER MAY BE DEPOSITED IN BANK WHEN PROPERLY ENDORSED BY PAYEE)	NO. _____ AMOUNT \$ _____
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TO THE CITY CONTROLLER  
(ROOM 148, CITY HALL)

RECEIVED FROM THE DIRECTOR'S OFFICE,  
ORDER FOR THE ABOVE-NUMBERED WARRANT,

PLEASE DELIVER TO PAYEE NAMED BELOW, OR ORDER, WARRANT AS ABOVE NOTED,  
IN FAVOR OF \_\_\_\_\_  
\_\_\_\_\_ DOLLARS

SIGNED \_\_\_\_\_

THIS RECEIPT SHOULD BE SIGNED, DATED AND  
RETURNED TO DIRECTOR'S OFFICE, ROOM 216,  
CITY HALL, IMMEDIATELY, TO INSURE PAYMENT OF  
WARRANT.

(b)

(TITLE)

as the City Controller's office notifies a city department that the warrants are ready for delivery, the department mails out the warrant orders in "window" envelopes and the recipients can then

endorse the orders and place them in the bank for collection. Receipts for warrants are generally returned to the department within twenty-four hours after mailing the orders.

One of the officers of the Department of Public Works has estimated that it saves in money value of time saved, on the \$17,000,000 spent for materials alone by the entire city, \$60,000, which is not an inconsiderable percentage.

When one considers that in the Department of Public Works alone there are over 600 warrant orders mailed each month, or a total of 7,200 per year, it can readily be seen that it saves the business man many hours in time and much needless bother formerly spent in making unnecessary trips around City Hall.

## 2. *Concerning the Handling of Inspection*

There are 45 inspectors under the Registrar, in the Bureau of Water. These inspectors read meters, inspect meter installation, count water fixtures and inspect for the waste of water in dwellings. This data is used for the basis of water-rent charges. Formerly the opinion prevailed among inspectors and their superiors that an "outside man" could not be supervised. So each inspector was given a district, composed of a certain number of political wards, and turned loose to collect this data as he saw fit. From the records kept no one could tell for sure how many hours a day an inspector worked or whether he worked at all or not. For an inspector soon learned how to make out his report without resorting to the laborious process of making all the inspections which his reports covered. He compiled a book, in which he listed the houses in his district, with their fixtures counted and entered therein. Water fixtures are fairly constant in number, and changes generally consist in additional fixtures. Since a consumer does not kick at an under-charge, the inspector could with comparative safety consult his book, and write out his report from the door step, the corner saloon or his own home. Even after the introduction of a few meters the inspector found he could dispense with three or four readings a year—he could compute this quarter's bill on the basis of last quarter's reading. Here again safety lay in making the computation low enough to escape a kick from the consumer.

The present Registrar<sup>2</sup> tried to standardize the work of these inspectors. He tried to set up the best method of procedure, and

<sup>2</sup>J. A. Carlin.

have it followed, and then to keep such records that some standard day's work could be determined by which each inspector's work could be judged. This involved careful planning of each day's work and control over the inspector while on the outside.

Now an inspector's work is planned and laid out for him each day. Five of the brightest men were appointed as supervising inspectors. Each meets his group of inspectors at an appointed time and place each morning, and gives each inspector a copy of his route for the day. These route sheets are made in triplicate, one being retained by the supervising inspector, while one is posted on a bulletin board in the Registrar's office. Each inspector is given blank forms which he must fill for each individual address with information gained from his inspection. These blanks are of four kinds: for meter readings, for meter installations, for regular fixture counting, or for complaints in regard to leaks, etc. When the blanks are filled out, and the recapitulation made on the route sheet, the inspector has made a complete daily report, from which the quality and quantity of his work can be judged, and compared with the standard set by the whole division. These reports are turned in to the supervising inspectors at the close of the day. This method of handling the work breaks up the hard and fast district lines, and makes it impossible for the inspector to have his report ready made in his pocket. He cannot very well make or carry a book covering the whole city as he formerly did for his small district. It is possible to know approximately where an inspector is working by consulting the master route. A chief inspector works as a free lance to check up the accuracy of the work. He follows first one man and then another, or goes on special or difficult cases where there is controversy or complaint. The inspector does not know when his route is being followed, so it is an incentive to do accurate and honest work.

The standard day's work is a matter of averages. It is true that in the nature of the case no two houses will take exactly the same time to inspect. The reading of the meter in the basement of an office building is a simple matter compared with counting all the water fixtures in an apartment house. But it is true, nevertheless, that in the course of a month averages can be obtained which make a standard by which an inspector's daily work can be judged. In comparing an inspector's work with the standard, the kind of work he is on is always taken into account.



The accompanying table B shows the monthly averages for the year 1914.

TABLE B

	A	B	C	D	E	F	G	L	H	J	K
1914 Month	Working days in month	Number of inspectors on duty	Total inspector-days in month $A \times B = C$	Total inspector-days in office	Total inspector-days absent	Total inspector-days off street $D + E = F$	Total inspector-days on street $C - F = G$	Average no. of inspectors on street $\frac{G}{A} = L$	Total inspections	Average no. of inspections per inspector-day $\frac{H}{J} = \frac{J}{G}$	Average no. of inspections per day $\frac{H}{A} = K$
January . . . .	23.5	46	1,081	493.5	12.5	506	575	24.4	22,175	38.6	943
February . . . .	20	46	920	200	41.5	241.5	678.5	33.9	17,490	25.9	874
Average to date . . . .	21.7	46	1,000	346.7	27	373.7	626.3	28.9	19,832	31.6	914
March . . . . .	24	46	1,104	398.5	26	424.5	679.5	28.3	23,508	34.6	979
Average to date . . . .	22.5	46	1,035	364	26.6	390.6	644.4	28.6	21,057	32.7	936
April . . . . .	23	44	1,012	332.5	20.5	353	659	28.6	44,675	67.6	1,942
Average to date . . . .	22.6	45.5	1,028	356.1	25.1	381.2	645.8	28.5	26,962	41.7	1,193
May . . . . .	23	43	989	312.5	19.5	332	657	28.5	23,884	36.7	1,038
Average to date . . . .	22.7	45	1,021.5	347.4	24	371.4	650.1	28.6	26,346	40.5	1,160
June . . . . .	24	43	1,032	337	27.5	364.5	667.5	27.8	22,058	33	919
Average to date . . . .	22.9	44.6	1,021.3	345.6	24.6	370.2	651.1	28.4	25,631	39.2	1,119
July . . . . .	24.5	42	1,029	312	100	412	617	25.1	17,045	27.6	695
Average to date . . . .	23.1	44.2	1,021	340.8	35.3	376.1	644.9	28	24,404	37.8	1,056
August . . . . .	23.5	41	963.5	136.5	280	416.5	547	23.2	14,203	25.9	604
Average to date . . . .	23.1	43.8	1,011.7	302.7	65.9	368.6	643.1	28	23,129	34.9	1,001
September . . . .	23	42	966	298	61.5	359.5	606.5	26.3	21,713	35.7	943
Average to date . . . .	23.1	43.6	1,007.1	302.1	65.4	367.5	639.6	27.6	22,971	35.9	994
October . . . . .	23.5	42	987	317.5	51.5	369	618	26.3	36,011	58.2	1,532
Average to date . . . .	23.1	43.4	1,002.5	303.7	64	367.7	634.8	27.4	24,275	38.2	1,050
November . . . .	21	41	861	258	17	275	586	27.9	23,284	39.7	1,109
Average to date . . . .	22.9	43.2	989.3	295.9	59.7	355.6	633.7	27.6	24,185	38.1	1,056
December . . . .	24	41	984	346	53	399	585	24.4	19,923	34	830
Average to date . . . .	23	43	989	303.4	59.1	362.5	626.5	27.1	23,380	38	1,036

The column H is the one from which the Registrar gets his most valuable information regarding each man's work. The reason for seemingly large variation is perfectly clear to him, and is due for the most part to different parts of the city in which the inspection was being carried on from month to month. It will be noted that while the "average number of inspections per inspector day" varied from month to month, the "average to date" is fairly constant, and varies but little at any time from the average for the whole year.

This sort of recapitulation is posted monthly, so the Registrar can at any time compare an inspector's work for the day and by taking into account the nature of the district he is working in, tell at once whether in quantity his work is up to the standard. Any errors that may come to light, either through subsequent investigation, or following a complaint of the consumer, or the report of the Chief Inspector are entered against the record of the inspector who made the error.

In short, it is easily possible in this way to tell the good work from the bad. The net result has been a great increase in the quantity and quality of the work. There was much dissatisfaction and friction at first. The men didn't understand just what was being done. They were fearful lest some of their cherished "rights" were being infringed upon. Comparison of one man's work with another, or with the average, was odious at first. The Registrar could offer no incentive in increase of salary to the better man, and could offer five only the raise in rank to that of "supervising inspector" which means, in reality, more responsibility and more work, for the same pay. Yet there was a fear of dismissal, and the incentive for "beating the record." The men soon found that after all it was not so difficult to do good work when it was expected of them, and their work was so planned that good work was possible. An *esprit de corps* has been built up. Errors have been reduced to a minimum. Each inspector hopes in time to become a supervising inspector, for there is something fascinating to most men, in occupying a position of responsibility and power, although it means more work and no additional pay. From the Annual Report of the Registrar we find that in 1911, 54,382 inspections of all kinds were made by the inspectors in this division. This number did not include serving of bills or reading meters. In 1914, 285,969 inspec-

tions were made by the same number of men, including the serving of 86,532 bills and 86,087 meter readings. As a result of the increased inspection in 1913, water rents were increased on the same properties over \$150,000 while many properties, not heretofore on the books of the Water Bureau, and not paying water rent, were found, billed and placed on the books for subsequent years. The complete report for 1915 is not available as this is written, but the work thus far shows as equally good results as those of 1913 and 1914.

One improvement in the method of keeping the books and making out the schedules of charges which the Registrar has made, has likewise resulted in a great saving in time and money. The permanent and official record of the 335,000 separate accounts carried by the Division was formerly kept in immense, permanently bound ledgers. Five copies of the schedules, taken from this record, must be made each year. Formerly they were made in long hand. The water rent book for previous years was compared and corrected by ledger for the current year. Then a master copy was made in long hand from this correct copy, which copy was then checked by the ledger. Three and in some cases four copies of this master copy were then made in long hand, and each compared with the master copy.

Now loose-leaf schedule books and ledgers are used. From the ledger, which has been corrected for the current year, with all additions, etc., made, as many typewritten copies as are needed are made at one operation. The typewritten copies are then compared with the ledger, and any necessary changes are made on the original and duplicates at the same time. These copies are bound in loose-leaf binders for the various departments which require them. Thus the chance for error has been reduced to a minimum. All copies of the schedule are alike. There is only one checking operation instead of four or five. The typewritten copies are, of course, much more legible and satisfactory. And in addition to all this, there has been a saving in expense to the city.

For 1912, making these schedules in long hand cost \$4,367.38, while for 1915 the cost was only \$2,779, a saving of 34 per cent, although there were more accounts to be entered and one additional set of books<sup>4</sup> to be made.

<sup>4</sup> From a letter to the writer from J. A. Carlin, Registrar of Water Bureau, Jan. 17, 1916.

The experience of the Registrar is significant in that it shows what can be done, even under adverse conditions, when the man who knows how, and wants to be efficient, is placed in a responsible position in city administration.

### 3. *Concerning Cost-Keeping Records*

It is possible for the city administration to operate a unit cost system. This has been done in the Bureau of Water and in the Bureau of Highways of Philadelphia.<sup>5</sup> It now becomes possible not only to compare street cleaning and repair work on the streets, bridges and sewers of Philadelphia with the cost and quality of work in other cities, but with that done by different districts of the same bureau or gangs in the same district. A friendly rivalry and a pride in the work can be fostered by the proper use of the unit cost system.

A standard can thus be set up which will throw into bold relief the strong and weak points of the whole system. The mere keeping of a record, which a man knows will come before the eyes of his superior, is an incentive to that man to do better work. The purpose of the unit cost system installed in the Bureau of Highways, as given by the Chief of that Bureau, is:<sup>6</sup>

(a) To ascertain the quantity and total and unit cost of each class of work performed which will provide data to facilitate the preparation of budget and prospective work estimated and also afford a basis from which may be determined the fairness of unit prices bid on contract work.

(b) To provide data to assist in the determination of the time beyond which it would be undesirable for economic reasons to continue maintenance work in existing pavements, or in other words, the time when replacements must be contemplated.

(c) To secure by interpretation of the data, knowledge as to the efficiency of performance of the Bureau's forces, and to assist in showing the adequacy of the service rendered to the public.

(d) To show the quantity and cost of each class of work performed within the boundaries of any district, or unit length of highway, or on any specific structure or job.

(e) To show separately the varying and principal elements of expense, such as labor, hauling and materials, entering into the cost of each class of work.

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<sup>5</sup>For a complete description see the Annual Report of the Bureau of Highways, Philadelphia, 1914, p. 119-123.

<sup>6</sup>Report for 1914, Bureau of Highways and Street Cleaning, Philadelphia, p. 119-120.

(f) To produce in the subordinate employees the beneficial moral effect resulting from a realization that records of their performances are brought to the attention of their superiors.

(g) To promote friendly competition between similar units of the organization and establish a sort of *esprit de corps* among the men.

As has been said, these records make it possible to compare one administration with another and with similar work done by private concerns, in matters of expenditure, but without them the administrator himself cannot find the weak points in his own work.

An illustration of the advantage of keeping records of this kind was in connection with the bituminous surface treatment work, which is the principal factor in modern highway maintenance of water-bound macadam streets and roads. The unit cost records of this work performed in 1913 showed an average cost of 7.3 cents per square yard, while in 1914, the average cost was 5.8 cents per square yard, or a saving of 1.5 cents per square yard over 1913. This saving was a direct result of making an analysis of the items of cost for 1913, through which it was possible to point out the weak points in the performance of the work, with the result that in 1914 more attention was given to the different operations of the work, the cost of which was considered to be too high the previous year. Of this saving of 1.5 cents per square yard, about one-half cent per square yard was due to the fact that a number of the treatments were second applications and naturally required a less amount of bituminous material per square yard, and the reduction in the cost of gravel, but approximately one cent per square yard (or a saving of fourteen per cent, of the entire cost of the work) was entirely due to the increased efficiency of the organization in handling the work. A further study will be made of the costs of this work and also the unit costs of all work performed by the bureau, with a view to pointing out ways and means of conducting the work in a more efficient and economical manner next season.<sup>7</sup>

A similar system of cost keeping has been installed in the Water Bureau, with similar results. One instance only will be given. In the pipe-laying work of the Bureau, the effort at a unit cost keeping system has led to more adequate records, by which, not only the work of one district can be compared with another, but the work of each gang can be compared with that of the other gangs doing similar work in the Bureau. True, many jobs here may be unlike in size and difficulty, so comparisons may be of little value, but other jobs are fairly equal, and should show a somewhat similar cost. When a district shows a high cost for a particular kind of work, it is possible to find the particular gang or gangs in that district who are responsible. The cost of pipe laying and repair are kept by districts. The man in charge of all the pipe

<sup>7</sup> Report of the Bureau of Highways and Street Cleaning, Philadelphia, for 1914, p. 4-5.



laying and the man in charge of each district have before them the average labor cost of similar work in each district, as well as the average for the year (Table C). It is easy to see which district is falling behind on jobs of similar nature, and if the reason is not self-evident to the man in charge, the records of the gangs in that district can be gone into and the trouble located. For instance, from

TABLE C—AVERAGE LABOR COST OF WORK PERFORMED IN DISTRICTS  
JULY, 1914

DISTRICT	1D Drawing ferrules for leaks. Caulking joints on mains. Repairing city laterals		2D Drilling for new ferrules. Reaming for ferrules to increase water supply		3D Drilling for ferrules on building operations		4D Replacing ferrules drawn for leaks		11D Private or fire connection complete	
	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor
Yellow	20	\$6.61	41	\$1.26	83	\$0.18	8	\$0.70	1	\$5.63
Red	207	5.47	216	.87	450	.16	64	.86	3	12.19
Blue	91	10.39	193	.98	31	.44	5	.65	..	..
Green	434	8.15	568	1.06	104	.36	30	1.13	4	17.06
White	50	7.87	17	2.17	48	.27	11	2.12	..	..
	222	5.63	91	1.69	125	.49	54	1.65	5	12.78
	21	9.31	128	1.17	81	.40	..	..	1	19.34
	92	6.54	500	1.15	246	.33	12	1.00	4	18.29
	33	4.75	49	1.03	95	.31	1	1.13	1	23.95
	106	5.05	322	.94	457	.20	10	1.24	3	24.03
	1V Cutting in new valves on lines already laid		2V Renewing valves		3V Shifting valves		4V Removing or dismantling valves		6V Placing concrete boxes, frames and covers on old lines where no new work done	
	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor
Yellow	..	..	..	..	..	..	..	..	1	\$6.94
Red	1	28.44	8	10.78	..	..	2	8.26	27	6.83
Blue	..	..	..	..	..	..	..	..	..	..
Green	1	81.16	2	27.75	..	..	..	..	11	5.96
White	3	10.31	..	..	..	..	1	13.02	36	8.44
	5	8.54	10	13.49	..	..	4	9.34	207	5.77
	..	..	..	..	..	..	..	..	17	5.29
	2	19.88	2	12.95	..	..	..	..	35	5.14
	..	..	1	16.06	..	..	..	..	27	7.53
	..	..	2	13.67	..	..	..	..	73	6.66

TABLE C—Continued

DISTRICT	7V Placing brick boxes, frames and covers on old lines where no new work is done		1H Cutting in new fire hydrants on lines already laid		2H Renewing fire hydrants		2Y Making concrete boxes			
	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor	No. of jobs	Av. labor		
Yellow	37	\$9.66	1	\$5.63	22	\$6.63	..	..		
	162	7.94	1	5.63	65	5.80	..	..		
Red	41	6.65	33	13.51	25	7.23	..	..		
	129	6.95	33	13.51	60	7.95	..	..		
Blue	3	5.37	..	..	26	7.85	3,142	\$ .06		
	8	6.53	5	10.93	99	5.65	13,502	.04		
Green	32	8.89	..	..	6	7.59	920	.13		
	99	7.24	1	10.13	24	6.15	1,944	.11		
White	..	..	1	13.08	10	8.04	2,832	.07		
	88	7.14	1	13.08	49	7.38	6,206	.08		

the monthly statement of July, 1914, Column 7 V: "The placing of brick boxes, frames and covers on old lines where no new work is done," is an operation that is fairly uniform in the difficulty and time ordinarily required. We find that the labor cost varies in the different districts from \$5.37 to \$9.66. Although the low figure was reported from a district which had done but three such jobs in the month, while the high cost was reported from a district that had 37, still the difference is sufficient to cause a careful supervisor to inquire into its cause. Of course the keeping of the records of costs is necessary so that those in charge will know there is a difference in cost.

#### 4. Concerning the Purchase of Supplies and Their Inspection

The city buys a great amount of supplies of one kind or another in the course of a year. Next in importance after price consideration, it should be known whether the city gets what it pays for. The setting up of definite standards wherever possible and then testing the products of the different bidders to see which come up to it is possible with an increasing number of supplies. Take the one item of asphalt used for paving. A complete system has been set up by the Bureau of Highways, by which not only is the material inspected in the plants, and a complete record kept of the output of

plants selling the product to the city, but samples are taken daily for laboratory testing. It is no longer left to the judgment of a laborer without technical education, who perhaps determined the hardness by chewing, or the consistency by sticking pieces on the wall.<sup>8</sup> Today this work is done by competent engineers, who have at their disposal modern scientific apparatus. Such defective materials as are found in the plants are never sent to the paving job. All materials used on any contract in the Bureau of Highways are inspected after they have been received. This rigid inspection of material results in raising the standard, and though high grade materials may be slightly higher in first cost, their use will ultimately prove a great saving to the city. There seems to be no good reason why the city should not always get just what it contracts for—if that is the desire of the city. The step toward standardization of specifications for material, which has been taken by the three principal bureaus of the Department of Public Works<sup>9</sup> is significant. To have a single set of standard clauses used in the specifications throughout the city's departments would guard against future irregularities. It would do much toward efficiency in purchasing. Adequate tests and inspection of the work and material purchased is likewise essential, and easily possible.

#### 5. *Concerning Planning of Work*

One other method employed at the present time in the Bureau of Highways should also be mentioned. It is a large wall map, on which the kind of paving on each city street is shown, by a different colored line, as well as paving in process of construction or authorized. Pins of various kinds and colors indicate the status of the city's paving work, and the condition of the streets. Such other information as dates, sums of money spent, etc., cannot be shown on the map but are available in a visible card index case along side of the map. This is a simple and cheap device by which the Chief of the Bureau can tell at a glance the status of the vast amount of paving operations which the city carries on all the time, and the status of maintenance work on paved streets. For these two items alone the city is spending over \$6,000,000 per year. It visualizes

<sup>8</sup> See Report of the Director of Public Works, Philadelphia, 1914, p. 78.

<sup>9</sup> Report of the Director, Department of Public Works, 1914, Philadelphia, pp. 3-4.

"unbalanced" work, such as giving one section of the city more than its share of improvements to the neglect of some other section and likewise shows up dangerous conditions in streets or pavements. It gives the chief direct control over the operations under his direction.<sup>10</sup> Similar boards are already in operation in the Division of Bridges and Sewers of the same Bureau, as well as in the District Offices. One is also used in connection with the pipe-work of the Water Bureau. Its use might be profitably adopted by a good many other bureaus and departments.

These illustrations are isolated instances of progress toward efficiency in city administration. They have by no means exhausted the list, nor do they represent a finished or perfect result. They are given with no thought of proving a case, but as suggesting possibilities for the future. It is encouraging to know that even in Philadelphia real progress toward efficiency has been made, and it leads us to hope that what has been done here can be improved—and repeated.

<sup>10</sup> *Engineering Record*, Dec. 11, 1915, pp. 714-16.

## PUBLIC WORKS AND ENGINEERING SERVICES ON A PUBLIC SERVICE BASIS

BY WILLIAM H. CONNELL,

Chief, Bureau of Highways and Street Cleaning, Philadelphia.

Publicity of the right kind is the keynote in all campaigns relating to matters in which the public is concerned. Lack of this kind of publicity is more responsible than any other cause for the slow progress that has been made in placing public works and engineering on a public service basis throughout the United States. While it is true that in some instances public and engineering services are conducted on a basis that might well serve as an example to some public service corporations and industrial establishments, still in many localities there is a woeful lack of appreciation of the necessity of engineering service in conducting public work. This is particularly true in highway work in which it is not an uncommon thing for lawyers and laymen to be in charge of departments controlling such work.

Engineers as a rule do not do justice to the public side of their work and consequently the public does not appreciate as much as it should the value of their services. Technical descriptions of engineering work are invaluable for engineers but simplicity in publicity concerning matters relating to public work will educate the public mind with respect to the real value of engineering services. The people should be instructed in a general way concerning the day-to-day problems confronting the engineer in public service. This can be done through the press, periodicals, pamphlets, and by erecting signs on the site of the work containing a simple description of the project. It is only through such an educational campaign that we can ever hope to obtain the support of the public in matters pertaining to the public service. This is part of the engineer's work and what might come under the head of the business side of engineering on a public service basis.

In many sections of the country there is probably no branch of public work in such need of engineering services as is highway work. It is only through the right kind of publicity impressing



this fact on the public that this work will eventually be placed strictly on an engineering basis. It is estimated that nearly \$400,000,000 a year is spent on highway work. The economic administration of such an enormous expenditure annually is certainly a matter that should receive serious consideration on the part of the public.

The most essential factor in the administration of large affairs is organization. Therefore, in so far as highway work is concerned, a good engineering organization is just as essential to good roads and pavements as are the materials used to construct them. This is not a theory but a fact and one that unfortunately has not been given proper recognition in the United States, and only now is dawning on the public at large. The fault lies partly with the engineer, and not entirely with the politician who only too frequently is blamed for this state of affairs. The average politician is naturally inclined to parcel out all the jobs he can to his followers, who are in a sense his employees. As engineers are not found among political workers, it is perfectly natural that any public work, not generally recognized by business men and men of other professions to be distinctly engineering work, would not be regarded as such by the politician whose desire is to provide as many places as possible for his associate political workers. The responsibility for this state of affairs, therefore, rests in a measure with the engineer, since the profession as a whole has regarded the highway problem too lightly and has not been sufficiently jealous of the infringement upon its rights; namely, to supervise all work, public or private, that is of an engineering nature. The doctors and lawyers have to build up safeguards to protect what they consider their prerogatives. You never find an engineer supervising or conducting work coming under the jurisdiction of either one of these professions. But there are innumerable cases of lawyers and business men placed at the head of highway departments—the excuse being that they are executives. Nevertheless, this is engineering work, and while one of the principal requisites for such a position is executive ability, engineering knowledge is equally important, and the real qualification essential for the directing head to conduct such a department successfully is engineering executive ability, not executive ability engineered by a business man or a lawyer,

such as we have been having in many of our state, municipal, county and town highway departments.

Business concerns must advertise their goods not only for the purpose of encouraging sales, but for the protection of the public, as well as for self-protection; they must call attention to any imitations that will not answer the purpose or bring about the desired results. It is considered to be, and as a matter of fact is, the duty of the exponents of the professions of medicine and law to educate the people to protect themselves by taking advantage of the protection to person and property afforded through relying upon members of these respective professions in matters to which they can best attend. Likewise it is the duty of the engineering profession to educate the public to get a dollar's worth for a dollar of expenditure, whether it relates to public or private work, so long as it is engineering work, by employing competent engineers to supervise highway and other engineering work. This means engineers to plan, organize, and operate all highway departments. In other words, a proper *highway engineering organization* does not mean engineers working under the direction of a lawyer or business-man commissioner, but an engineering organization from top to bottom, with an engineer heading the organization, no matter what the title may be. This principle is an important one and should be ever before the young engineer. He should be brought to consider seriously the prerogatives and functions rightfully belonging to members of his profession—organization work, executive ability, business management, should be part of his professional training; they are just as essential to the engineer as they are to the lawyer, doctor or business man.

The highway work in a large percentage of our states, municipalities, counties and townships has been handled by all classes of officials from as many different walks of life, none of which gave them a claim to any qualification for the job. As a result, the highway work was allowed to drift along until the highway department was considered to be the property of the politician, and, still worse, only recently it has been used by some of the business administrations throughout the country to parcel out a few jobs to men probably deserving of some recognition, but conspicuously unfit in so far as highway work is concerned. In this policy they have made a great mistake, as the highway department in a large measure

is the principal show-case of any state, city, county or town government—the pavements representing the goods in the window. Recent developments have proved that more people can be pleased and satisfied through an engineering highway organization, conducted on a high plane, than through any other branch of public works. An adequate organization, however, is essential, as a successful highway administration is dependent upon conducting and controlling the work with the least friction. Ease of operation is a most important factor and this can be obtained only through an organization commensurate with the demands made upon it.

*Planning Boards as a Means of Simplifying the Control of Public Works Departments*

In an endeavor to define some means of simplifying the control and insuring a more thorough and intimate knowledge of the status of the operations coming under the jurisdiction of a large highway department than that afforded through the up-to-date records and definite procedures for each operation, it became evident to me that it would be necessary to supplement these records and procedures with planning boards containing a graphic representation of the status of the operations, in such a manner that the work could be more readily controlled than is the case where it is necessary to refer constantly to office records. No matter how thoroughly the operations of a highway department may be systematized, where the heads of the different units of the organization are dependent upon daily consultations and studies of the records on file to enable them to picture in their minds the status of the work under their jurisdiction, there is always a certain amount of lost motion and unbalancing of the work, resulting in one locality receiving undue consideration at the expense of another or delays in the starting of important contracts due to unconsciously yielding to outside influences interested in pushing forward less important work. This new scheme for simplifying the control of the work of a department through visualizing the operations enables the executive and division heads to obtain at any time a mental picture of the status of the operations coming under their respective jurisdictions. It is the most up-to-date system heretofore employed in highway departments or industrial corporations to carry on the work in an orderly and systematic manner. While planning boards have been

used with success in some of the industrial establishments, the application of this method of carrying on the operations of a large highway department is new. After several months' trial it has proved an unqualified success and one of the most practical schemes that has thus far come under my observation for simplifying the management of such a department. For some time past we have indicated certain data on maps, such as the progress of contracts, location of work, etc., but the planning boards referred to are used as a means of control of the entire operations of the department other than such work as is performed in accordance with a fixed schedule.

This method of visualizing the status of the work also enables the executive to readily give information concerning the operations under his jurisdiction that would ordinarily necessitate 'phoning to the office where the records are kept, which would mean a delay of several minutes before the information could be obtained from the record files. With the use of the planning board and visible card index system it is possible to obtain the necessary information in less than a minute. This saving of time means a great deal to a man interviewing a number of people every day requesting such information.

In the Philadelphia Bureau of Highways and Street Cleaning planning boards have been installed in the offices of the chief engineer, and in those of the two division engineers in charge of general highway department work, the division engineer in charge of bridge and sewer maintenance, and the seven district highway engineers.

They consist of a map indicating, in different colors, the character of all the pavements and unimproved streets throughout the city, mounted on a board and encased in a frame. The scale of the map is such as is necessary to contain the information desired in each specific case; for example, the scale of the district engineer's map, which contains the locations of holes in the pavements, etc., is necessarily greater than that of the chief engineer's map, which does not show such detail.

The scheme is a very simple one, and is not difficult to operate. The status of contract and municipal repair work, bituminous surface treatments, etc., and the location of the repair gangs and all other information contained on the boards are indicated by pins with

heads of different colors, shapes and sizes. For example, the status of the contract work may be followed by noting the appearance and disappearance of the pins. When any grading, paving, repaving, surfacing or resurfacing is completed, the limits of the work are colored with the coloring used on the standard map of the Bureau of Highways indicating the different characters of pavements and unimproved streets and roads. In the case of repair work, when the repairs are made the pins are removed; and the status of bituminous surface treatment and all other work (except that which is done in accordance with a fixed schedule such as street cleaning) coming under the jurisdiction of the Bureau is indicated in a similar fashion.

All information pertaining to permanent locations or fixtures is indicated on the planning boards by properly colored and symbolized thumb tacks which are inserted flush with the surface of the map. In general there are included in this classification such designations as the main and district highway offices, store yards, railroad sidings, ash, rubbish and street dirt dumps, disposal plants for rubbish and garbage, stables, and asphalt plants; while in the temporary or variable classification different colored and sized pins indicate the authorized work, the executed contracts, those in progress, or suspended, work by municipal forces, etc., and other details relating to the work that it is necessary to visualize in order to properly plan and control. Of course the exact details of the legend for each kind of planning board varies, and is arranged to suit the specific requirements of the particular planning boards to which it is to apply. Subject to these necessary variations the indications are, however, standard for any similar designations that appear on all of the planning boards.

In order to facilitate reference to information in greater detail, the indicators for the permanent designations also contain an identifying serial number, which refers to lists annexed to the planning board which indicate full information relative to locations, names of owners of asphalt plants, dumps, etc.

The details of the legends employed on the several planning boards in use in the Philadelphia Bureau of Highways and Street Cleaning can best be shown by the illustrations on pages 109 and 110.



PLANNING BOARD OFFICE OF CHIEF ENGINEER BUREAU OF HIGHWAYS AND STREET CLEARING DEPARTMENT OF PUBLIC WORKS CITY OF PHILADELPHIA	
LEGEND	
PERMANENT DESIGNATIONS	TEMPORARY OR VARIABLE DESIGNATIONS
<p><b>GENERAL:</b></p> <p>(Ind.) <b>(M)</b> MAIN HIGHWAY OFFICE. NOTE: In the following indications the numerical designations of districts are indicated by numbers.</p> <p>(Ind.) <b>(1)</b> DISTRICT HIGHWAY OFFICE.</p> <p><b>(2)</b> SERVICE DISTRICT (Street Cleaning and Rubbish and Garbage Collecting). NOTE: In the following indications the serial identification numbers refer to correspondingly numbered detailed notes and to discussed items 15.</p> <p>(to show) <b>(X)</b> STONE MARK.</p> <p><b>(X)</b> CURB (Rub, Address or Street Line).</p> <p><b>(X)</b> GARBAGE DISPOSAL PLANT.</p> <p><b>(X)</b> RUBBISH DISPOSAL PLANT.</p> <p><b>(X)</b> STABLE (Service Contractors).</p> <p><b>(X)</b> CONTRACTOR'S ASPHALT PLANT.</p> <p><b>(X)</b> MUNICIPAL ASPHALT PLANT.</p> <p><b>EXISTING PAVEMENTS:</b></p> <p><b>(M + Ind.)</b> ASPHALT BLOCK.</p> <p><b>(Ind.)</b> BITUMINOUS MACADAM.</p> <p><b>(Ind.)</b> CEMENT-CONCRETE.</p> <p><b>(Ind.)</b> COBBLE OR RUBBLE.</p> <p><b>(Ind.)</b> SHEET ASPHALT.</p> <p><b>(Ind.)</b> SLAB BLOCK.</p> <p><b>(Ind.)</b> STONE BLOCK.</p> <p><b>(Ind.)</b> UNIMPROVED (Gravel, dirt, cinder, etc.).</p> <p><b>(Ind.)</b> INTERFIED BLOCK.</p> <p><b>(Ind.)</b> WATERBOUND MACADAM.</p> <p><b>(Ind.)</b> WOOD BLOCK.</p> <p><b>MISCELLANEOUS:</b></p> <p><b>(Ind.)</b> RAILROAD SIGNS.</p> <p><b>(Ind.)</b> DISTRICT BOUNDARY LINE.</p> <p><b>CHARACTER OF AUTHORIZED CONSTRUCTION WORK:</b></p> <p><b>(Ind.)</b> GRADING.</p> <p><b>PAVEMENT:</b></p> <p><b>(Ind.)</b> BITUMINOUS MACADAM.</p> <p><b>(Ind.)</b> CEMENT CONCRETE.</p> <p><b>(Ind.)</b> SHEET ASPHALT.</p> <p><b>(Ind.)</b> STONE BLOCK.</p> <p><b>(Ind.)</b> INTERFIED BLOCK.</p> <p><b>(Ind.)</b> WATERBOUND MACADAM.</p> <p><b>(Ind.)</b> WOOD BLOCK.</p>	<p><b>INDICATION OF LIMITS OF AUTHORIZED WORK:</b></p> <p><b>(Ind.)</b> IF HIGHWAY IS NOT COLORED.</p> <p><b>(Ind.)</b> IF HIGHWAY IS COLORED.</p> <p><b>(Ind.)</b> IF NECESSARY IN CONNECTION WITH THE PREVIOUS INDICATIONS TO SHOW LIMITS OF CONTINUOUS AUTHORIZATION.</p> <p><b>(Ind.)</b> IF WORK IS THAT OF SURFACE TREATMENT.</p> <p><b>TECHNICAL CLASSIFICATIONS OF AUTHORIZED WORK:</b></p> <p><b>CONTRACT WORK:</b></p> <p><b>(Ind.)</b> GRADING.</p> <p><b>(Ind.)</b> PAVING.</p> <p><b>(Ind.)</b> REPAVING.</p> <p><b>(Ind.)</b> SURFACING.</p> <p><b>(Ind.)</b> RESURFACING.</p> <p><b>(Ind.)</b> SPECIAL WORK (For Development Boulevard Construction, etc.).</p> <p><b>MUNICIPAL FORCE WORK:</b></p> <p><b>(Ind.)</b> EXTENSIVE SURFACING, REPAVING AND REPAVING.</p> <p><b>(Ind.)</b> DUST LAYER TREATMENT.</p> <p><b>(Ind.)</b> BITUMINOUS SURFACE TREATMENT.</p> <p><b>STATUS OF WORK:</b></p> <p><b>(Ind.)</b> CONTRACT EXECUTED OR IN COURSE OF EXECUTION.</p> <p><b>(Ind.)</b> WORK IN PROGRESS BY CONTRACTOR.</p> <p><b>(Ind.)</b> WORK IN PROGRESS BY MUNICIPAL FORCES.</p> <p><b>(Ind.)</b> TROUBLE MAKER (In preparation, delay, suspension, etc.).</p> <p><b>WORK DETAILS:</b></p> <p><b>(Ind.)</b> URGENT NECESSITY FOR PROMPT PERFORMANCE OF WORK.</p> <p><b>(Ind.)</b> MATERIALS ORDERED.</p> <p><b>(Ind.)</b> MATERIALS DELIVERED.</p> <p><b>(Ind.)</b> CONTRACTOR'S ASPHALT PLANT HAS BEEN USED FOR WORK.</p> <p><b>(Ind.)</b> MUNICIPAL ASPHALT PLANT HAS BEEN USED FOR WORK.</p> <p><b>MISCELLANEOUS:</b></p> <p><b>(Ind.)</b> CONTRACTOR REQUESTING TO AUTHORIZE WORK.</p> <p><b>(Ind.)</b> UNDESIRABLE TRUCKS (Indicating avoidance of open relative correspondence).</p> <p><b>DETAILED INFORMATION:</b></p> <p>Full detailed information relative to the current status of the legal, contract, structural and other governing conditions pertaining to all work placed on this planning board is indicated on the individual card records for each specific authorization in the Current Status file.</p>

LEGEND ON PLANNING BOARD, OFFICE OF CHIEF ENGINEER



## CURRENT STATUS RECORDS

In addition to the data regularly carried on the planning boards there are also certain other data of a more detailed nature relative to the current status of the legal, contract, structural and other governing conditions, which should be easily accessible but which it would not be practicable to indicate on the planning board.

This information is, however, recorded in a very accessible manner by means of individual records properly filed and in visible filing cabinets, which are known as current status files, and which are located adjacent to the planning boards, and can best be described by the following illustrations:

Three forms of current status card records are provided, one form being for municipal force work and two for contract work for use in the main and district offices respectively. These records indicate in a logical and concise manner just what information is necessary relative to current conditions.

Woodbine		FROM Lancaster		TO Upland	
CLASSIFICATION		MATERIALS			
BITUMINOUS SURFACE TREATMENT		ASPHALT CUT BACK			
SCHEDULED	YES				
URGENCY OF WORK	YES				
MATERIALS ESTIMATED	YES				
MATERIALS IN STOCK	YES				
MATERIALS ORDERED	YES				
MATERIALS DELIVERED	YES				
WORK READY TO PROCEED	YES	WORK ORDERED STARTED JUL 1 - 1915		WORK STARTED JUL 2 - 1915	
GANG IN CHARGE OF FOREMAN Simpson				DIVISION /	DISTRICT /

BUREAU OF HIGHWAYS  
DEPARTMENT OF PUBLIC WORKS  
CITY OF PHILADELPHIA

HIGHWAY WORK PROGRESS RECORD  
MUNICIPAL FORCE WORK

PROGRESS RECORD FOR MUNICIPAL FORCE WORK

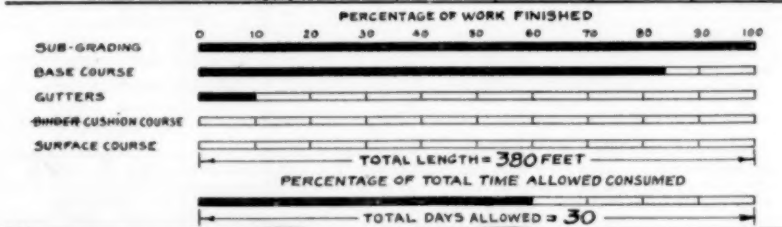
Indiana		FROM 24th		TO 26th	
CLASSIFICATION	SURFACE	GUTTERS	TRACKS	DRESSED	BASE
PAVING	SHEET ASPHALT	VITRIFIED BLOCK	GRANITE BLOCK	CEMENT CONCRETE	
WORK AUTHORIZED	JUL 6 - 1915	SCHEDULED	YES	GRADING	FINISHED
ON CITY PLAN	YES	ADVERTISED	AUG 4 - 1915	SEWER	FINISHED
LEGALLY OPENED	YES	BIDS RECEIVED	AUG 20 1915	LATERALS	FINISHED
CITY TAX RATE	YES	AWARDED	AUG 25 1915	WATER	FINISHED
NECESSITY FOR WORK	YES	ORDERED	AUG 26 1915	GAS	FINISHED
FUNDS AVAILABLE	YES	EXECUTED	SEP 2 - 1915	LIGHTING	FINISHED
PLAN ORDERED	YES	APPROVED	SEP 4 - 1915	CURBING	FINISHED
PLAN RECEIVED	YES	ENGINEERING No.	3135		
WORK READY TO PROCEED	YES	NOTICE TO PROCEED ISSUED	SEP 9 - 1915	WORK STARTED	SEP 13 1915
CONTRACTOR			BARBER ASPHALT PAVING CO.		
			DIVISION	2	DISTRICT
			6		

BUREAU OF HIGHWAYS  
DEPARTMENT OF PUBLIC WORKS  
CITY OF PHILADELPHIA

HIGHWAY WORK PROGRESS RECORD  
CONTRACT WORK

### PROGRESS RECORD FOR CONTRACT WORK FOR MAIN OFFICE

Addison		FROM 58th		TO 59th	
CLASSIFICATION	SURFACE	GUTTERS	TRACKS	DRESSED	BASE
PAVING	SHEET ASPHALT	VITRIFIED BLOCK		CEMENT CONCRETE	
GRADING	SEWER	LATERALS	GAS	WATER	LIGHTING
O. K.	O. K.	O. K.	O. K.	O. K.	O. K.
CONTRACTOR					
EASTERN PAVING CO.					
NOTICE TO PROCEED					
10-4-15					
WORK STARTED					
10-12-15					



BUREAU OF HIGHWAYS  
DEPARTMENT OF PUBLIC WORKS  
CITY OF PHILADELPHIA

HIGHWAY WORK PROGRESS RECORD  
CONTRACT WORK

### PROGRESS RECORD FOR CONTRACT WORK, DISTRICT OFFICE

It will be noted that the arrangement of the form of the current status record for contract work as used in connection with the district planning boards makes it possible to post graphically either daily or weekly from the inspectors' reports the percentages of each

portion of the work finished and the percentage consumed of the total time allowed for the completion of the work.

The responsibility for the posting of the planning board and the current status file is centralized in one person in each office, and this posting is done early each morning from the reports of the operations, transactions and changes in conditions occurring since the time of posting on the previous day. In the district offices, however, a record of the need for the performance of any character of work is posted as soon as the necessity becomes apparent from any source, such as being indicated on a patrol inspection report; resulting from observation by the district assistant engineer or his subordinates; notice from the main office or any municipal department, from the police, or from the public.

In the seven district highway offices and in the division of bridges and sewer maintenance, the daily route sheets indicating the work to be performed by each maintenance and repair gang is prepared by direct reference to the planning board.

To be explicit, the function of the planning board may be defined as being a means of providing the chief engineer, the division engineers and the district assistant engineers and their subordinates with a continuous and complete, concise and easily accessible graphic record of the current status of all construction and maintenance work under their respective supervision, as well as prospective work, in order that they may plan and administer the work in the most efficient manner, and also to facilitate the prompt determination of any desired general information relating to the work that otherwise would not be available except after more or less detailed investigation. The planning boards are also a practical means of controlling or equalizing the quantity of work to be performed in the different localities under the jurisdiction of the department, and the order in which the work shall proceed, and also of determining upon the assignment or distribution of the engineering, inspection and working forces.

In fact, the planning boards may be likened to a graphic representation or moving picture of the general activities of the department presenting sufficient detailed information to insure the carrying on of the work with a maximum of efficiency, and to do away with the friction and loss of time through the engineers in responsible charge of the several units of the organization being



compelled to make daily or perhaps constant reference to and studies of the filed records to enable them to form a mental picture of the status of the work under their jurisdiction. With this scheme, a few minutes' inspection of the planning board each morning will enable the engineer to keep in close touch with and thoroughly plan or control both the extensive and minor work under his supervision.

There are countless opportunities in the management of a large highway department, as is also the case in other public works departments and industrial establishments, not only to improve upon the quality of the output but to save time and money through making analytical studies of the operating methods. As an illustration of this, only recently, by assigning an engineer to make an analysis of the unit cost records of the municipal repair gangs, and studies of the methods pursued in the performance of the work, we have been able to show a saving of \$40,000 in four months, which is a direct result of eliminating a certain amount of the lost motion, due to inaugurating more efficient methods of carrying on this work. Therefore, this saving was brought about entirely through these special studies. This, however, is just one feature of the work of a highway department, but the opportunities afforded for analytical studies of the operations as a whole, and the standard that can be obtained through the systematic operation of planning boards to control the work, opens up a new field with unlimited possibilities that must necessarily result in the saving of enormous sums of money that cannot be definitely measured at the present time.

In the Philadelphia Bureau of Highways and Street Cleaning there are approximately 700 contracts in operation annually. This in itself, aside from the number of extensive operations performed by the departmental forces and the multiplicity of other work coming under the jurisdiction of such departments, whether they be city or state, involving expenditures of approximately \$400,000,000 annually, puts a premium on organization and management as a most important factor in connection with the operations of such departments, and is evidence of the fact that the solution for economic management of highway departments is the most important problem in highway engineering today.

The more we study the possibilities of the management of highway departments, the more impressed we will be with the fact

that thus far we have only touched the high spots, and that the logical and systematic management of such a department is something yet to be attained, and who can say what will be the result of the studies now being carried on in some of our highway departments, as there is no field in which there are better opportunities to apply scientific principles to the operations than to those coming under the jurisdiction of a highway department?

## THE MOVEMENT FOR RESPONSIBLE COUNTY GOVERNMENT

BY H. S. GILBERTSON,

Executive Secretary, National Short Ballot Organization, New York City.

County government in every state, except Rhode Island and Connecticut (which have troubles of their own), whether it be under the town system or under the commissioner system, is organized on the plan of making as many officers as possible "directly responsible to the people." The people elect their board of supervisors or commissioners, as the case may be, and undertake to hold them responsible for the financial affairs of the county. They are to control, if they can, the expenditures, among others, of the sheriff. But always the sheriff is no subordinate of theirs; the people selected him! In the course of his work he collects sundry fees which so far as the supervisors are concerned he may account for or not as he pleases. They may reach him in some slow roundabout way but never by the direct power of summary removal which a private business concern may exercise. The supervisors may set out upon a program of economy and efficiency including, let us say, the standardization of supplies. But the county clerk will not recognize their superior authority; he will run his office to suit his personal convenience; and if the supervisors undertake to check him he may find some way of appealing to the people. The superintendent of the poor, the treasurer and the auditor may likewise go their respective gaits, and the county will be blessed not with one government, but with several.

This is the particular form which the ancient and revered theory of the separation of powers has taken in this branch of government. No one officer or board is entrusted with power enough to do serious wrong; let the people be the boss!

Noble sentiment. But there is a reverse side to it. Division of power carries with it division of responsibility. It is as though the board of directors were charged with the control of a private enterprise, but were expressly denied the power to select the manager and heads of departments wherewith to execute their trust. So

vital to their civic happiness have the people regarded this disjointedness of the county that many of the constitutions are explicit as to which officers shall be elected and in not a few cases name the whole list.

### *The Headlessness of Counties*

The county is about the only human institution that is absolutely headless. There are, of course, some exceptions. In the first class counties of New Jersey (Hudson and Essex), the state has provided for an officer elected by the people who has the title of "supervisor" and exercises powers similar to those of the mayor of a city. He makes no appointments, but he may suspend and remove subordinates, veto appropriations and make recommendations. In Cook County (Chicago), Ill., a president of the board of supervisors is elected by the people. Kings County (Brooklyn), N. Y., before consolidation had a "supervisor-at-large." But none of these exceptional executives has powers at all comparable to those of the mayor of New York or Cleveland. In the general run of counties the chief executive is not a single officer but the governing body itself. But almost invariably this body serves on part time and only meets at intervals, of sometimes as much as a month. If the town plan is in use the board may be very large as in Westchester County, N. Y., where the number of supervisors is forty-one or in Erie where there are forty-one members. That such a board would be all but strangers, of their own knowledge, to the detailed needs of the various offices in the county, goes without saying.

No, the ingenious Anglo-Saxon mind has discovered a substitute for direct personal supervision. This government of ours, we are told, is a "government of laws, not of men." If a given officer goes wrong or if he neglects his duties, then the supervisors are authorized to go to the district attorney and get him to take action on the officer's bond or to institute a criminal prosecution. If the district attorney is negligent in the matter, the supervisors may go to the governor with charges of neglect of duty against *him*. If the original officer in question is just plain lazy, slow or inefficient, then everybody simply has to wait "till he gets round to it."

All this circumambulation forsooth, in the name of democracy! It actually fulfils the conception of popular rule for no inconsiderable body of superficial political thinkers. Where the system goes

wrong, they inject a little more confusion, a little more irresponsibility into the plan of government—"the cure for democracy is more democracy." Even the reform of county government is conceived in the spirit of negation. Americans have a way when things go badly in the government, of trimming somebody's wings, of setting up "checks and balances." But every time they reduce an officer's power they have not only prevented him from rising to heights of constructive effort, but they have actually so obscured his responsibility as to increase the probability of his going wrong.

But to leave off the criticism of the county and to proceed to constructive remedies, what measures may be proposed?

*What Responsibility means in County Reconstruction*

In the approach toward an ideal county government the principle which underlies every accredited political reform must dominate: the principle of responsibility. The central state government must assume greater responsibility for the local execution of its own mandates. The locality must take full charge of its local affairs, in pursuance of the principle of home rule (which is but a phase of responsibility). The responsibility of the county electorate must be fixed by making the conditions of citizenship simple and workable. In plain English, every factor in government must be assigned its own proper function and must be put in possession of the means wherewith to enforce the trust imposed upon it.

With this standard in mind the form of a more perfect county government will not be difficult to conceive. Under a system of home rule the county will have been brought face to face with its obligation to frame its local policies. A suitable local legislature or governing body will have to be erected to represent accurately the people of the county. If the several localities in the county possess an identity which justifies their having a distinct voice in the governing body, they will be taken care of. But if on the other hand the fact is that the county is a geographical and social unit, the form of the governing body will reflect that condition. If the county consists of mixed urban and rural elements, that condition will not be overlooked. And cases will come to mind also where the county is identical with a city, in which case the county may utilize the governing body at hand.

Toward county unity and simplified governing bodies, New



Jersey has also contributed a strong impetus to the popularity of the small board. In 1902 the legislature passed the so-called Strong Act under which any county might abandon the idea of district representation. Thereafter the people of the county as a whole elect (according to the population of the county) from three to nine freeholders. This system has been adopted (up to 1915) in most of the twenty-one counties.

#### *Responsible County Legislature*

The county legislature, in keeping with its amplified powers, its greater dignity and conspicuousness, will have a corresponding control over its agencies. It will not be obliged to carry out its trust through subordinates not of its own selection. Nor will it scatter its own powers of control, but will constitute some one person the head of the county administration. And it will protect its own responsibility by selecting for the executive headship a person not qualified by reason of partisan political experience but of specific fitness for performing his official duties.

The executive in his turn will have ample powers of control, through appointment and otherwise, of the county officers, at least in the "business" as distinguished from the "judicial" establishment of the county.

His powers will not be limited as are those of the supervisor, an office which has been established in counties of the first class (Hudson and Essex). These are apparently the only counties in the country which are operated under the slightest semblance of a single executive head. The executive is elected by the people and is in fact a survival from the time when the board of chosen freeholders (supervisors) were elected from districts, with a view to unifying the interests of the several localities, somewhat after the fashion of a mayor of a city. He is required "to be vigilant and active in causing the laws and ordinances of the county to be executed and enforced." Subject to the civil service law he has power to suspend and remove but not to appoint subordinates. He may propose legislation and veto resolutions.

And the state itself will sometime look more carefully and concernedly to the enforcement of its own laws. It will frankly do one of two things: either it will decide that a given law deals with really local questions, in which case it will wipe it off the statutes and

leave them to be handled by the county legislature; or else, it will resolve to see that the law, if wise, is properly enforced, and will proceed to establish its own means for its enforcement.

And finally, the responsibilities of citizenship will be conserved. No voter will be called upon to make selections from long lists of obscure minor officers, whom he never sees and whose duties he knows little or nothing about. He will have the assurance that by watching and controlling one set of officers he will control the whole county establishment.

#### *A Concrete Proposal*

A proposal that practically squares with this formula was put forth some years ago by a group of Oregon citizens under the leadership of W. S. U'Ren in a projected amendment to the state constitution. The county business would be in the hands of a board of three directors to be elected by the voters of the county for terms of six years. This board would have power to "make all expedient rules and regulations for the successful, efficient and economic management of all county business and property." It would be required, however, to employ a business manager who would be the "chief executive of the county,"—and the choice would not be limited to the state of Oregon. The salary of this officer would be determined by the board. With him would rest the appointment of the subordinate county officers, except that the board should be empowered to audit bills, either directly or through an auditor.

The skeleton of the proposed Oregon system is similar to that of the commission manager plan of city government which has been in successful operation for several years in Dayton and Springfield, Ohio, Cadillac and Manistee, Michigan, and about thirty other cities of various sizes and is growing rapidly in public favor. A more complete and detailed scheme based upon the identical principles was embodied in a bill introduced in the New York legislature of 1915 by the New York Short Ballot Organization.

#### *Some Practical Contributions to Responsible County Government*

In actual life no county has taken longer steps to secure a simplified structure than Los Angeles, California, which was the first county to act under the home rule amendment. This charter

starts out by abandoning the theory that every county officer must be elected. The supervisors are retained on the "ticket," but county superintendent of schools, coroner, public administrator, county clerk, treasurer, tax collector, recorder and surveyor, all of whom were formerly elected by the voters, are now appointed by and responsible to the county legislature, which is the board of supervisors. The sheriff, the auditor, the assessor and the district attorney are still elective. In thus extending the power of supervisors, the charter framers require that, with a few exceptions, the officers shall be chosen from competitive lists on the basis of merit and fitness. The fee system is abolished.

The charter of San Bernardino County, California, adopted shortly after the one in Los Angeles, provided for a board of five supervisors elected at large, one at a time, this board to appoint all other county officers except judges. But the changes seemed so radical that the people amended the charter out of all semblance to its original conception, before it was ever put into operation.

For the immediate future the movement for better county government must be mainly to bring the voters to see that there is a "county problem" of no small importance. No division of government contributes so largely to the continuance of political machines—the county is ideally constructed for that. The three thousand counties in the United States now spend annually about half as much as the federal government—a hint to the taxpayer. Social workers are aware that the management of the local welfare functions are often administered by counties in a manner that is nothing short of barbarous. But the county problem will not be solved by hitting at particular evil symptoms. We shall, in the writer's opinion, eradicate all the more serious evils by applying all along the line and to the practical limit the reconstructive principle of responsibility which is theme and subject of this volume.

## INTERWORKINGS OF STATE ADMINISTRATION AND DIRECT LEGISLATION

BY F. W. COKER, PH.D.,

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Executive participation in the work of American legislatures has been frequently analyzed. Its increasing extent in recent years is closely interrelated with two other factors in the development of our state governments: first, the greatly enlarged tasks which the American public has come to exact of its legislatures, and second, the successive restrictions which have been placed upon these bodies. Though there has been a steadily growing dissatisfaction with the methods and motives of our representative organs—which has been voiced in certain restrictions imposed upon legislative freedom, such as requirements affecting procedure, limitations upon special and local legislation, the regulation of lobbying and the placing of matters of statutory character in constitutions—there has at the same time developed a need for constantly increasing reliance upon legislative regulation as a means of securing economic and social reforms. This expansion of the sphere of legislative competence and the increase of the limitations placed upon legislative activity have accentuated and made obvious the need for responsible leadership in the fulfilment of the manifold and complex duties which modern demands impose upon our state legislatures. This demand for responsible leadership has found its response in increasing participation of the executive in legislation.

The need for strong legislative leadership has existed since the beginning of our state governments. The American disjunction of executive and legislative organs left the latter without guiding and responsible agencies to discriminate among the tasks proposed to the legislatures, or to coördinate their efforts. Inevitably, to meet this need, agencies of leadership, not responsible under the constitution or the law, were in time created or accepted by the legislatures. Thus legislative committees—as, for example, the committee on rules, leaders of the party caucus, unofficial leaders

outside the legislature, were allowed in various ways to assume the functions of devising and executing plans of action for the legislative sessions. The agencies just indicated in many cases proved adequate for the work of preserving party unity and party subservience of individual members to the organization. None of these devices could satisfy the fundamental need—from the standpoint of the public, rather than of the political party—for an open, responsible, and unified leadership in legislation. The records of the governors who first perceived their opportunity to fill this gap and at the same time assume the positions of party guides, are familiar. The special fitness of a governor, properly equipped and with the appropriate motives, for such combined leadership, lies in the peculiar opportunities his position affords him for ascertaining or drawing out public opinion, for giving it definite expression, and for bringing to bear its force upon an otherwise irresponsible legislature.

But the legislature's irresponsiveness and uncertainty of action had been a primary cause for the introduction of the system of direct legislation, which was popularly demanded not only as a means for correcting the action of the legislature when it was corrupt or wilfully neglectful of the popular will, but also as a means for securing quick accomplishment of popular desires for legal regulation of economic, social, and moral conditions.

What effects will the extending use of the instrumentalities of direct legislation have upon the governor's position as legislative guide and party chief? What effects will their operation have upon the work of the governor and other state executive officers as directors of the vast administrative business which now devolves upon the state government, as a consequence of the expanded sphere of state regulation? The experiences of the states in which the system of direct legislation has been in operation provide us with material for indicating a few possibilities and tendencies along the lines of such questions, without approaching any final and fundamental conclusions.

On the one hand, with regard to the interworkings of direct legislation and executive participation in lawmaking, several practical questions arise out of the experiences of the last few years.

In the first place, the question may be raised whether, in order to make possible the exercise of intelligent judgment upon measures



submitted to direct vote, the governor must be looked upon as the guide whose task it will be to concentrate popular attention upon a few salient measures among the manifold propositions which may be submitted under the unrestricted employment of the instrumentalities of direct legislation. Much emphasis has been placed upon the multifariousness of the propositions submitted to popular vote, upon the resulting confusion of the mind of the electorate, and upon the tendency of such methods of political action to discredit popular rule by weakening its representative organs and by bringing further inexpertness and incoherence into our lawmaking. It is urged that in direct legislation as in representative legislation there is need for some responsible agency to assemble and make selection from the manifold legislative proposals emanating from limited groups of voters. Through the machinery of direct legislation as through that of our representative assemblies the total of legislative projects tends, it is held, to represent a collection of special and limited interests rather than a consolidated general interest. It is thus predicted that direct legislation without leadership will produce the same defects of irresponsibility and incongruity that have characterized legislation under the procedure of our typical representative legislatures. If there must be a conspicuous guide whose task it will be to propose and determine a program for popular legislation and to give to it generality and consistency, can the governor or some other state officer serve in such capacity?

To meet the need just indicated, an extreme suggestion has been made that the popular initiative should be allowed to apply only to measures which the governor has recommended to the legislature but which have failed of enactment in that body. In other words, the popular "initiative" should be restricted to a selection among measures proposed unsuccessfully by the governor to the legislature. This restriction would abolish altogether the popular origination of legislative proposals, and therefore cannot be considered as a means for guiding and safeguarding the use of popular initiative in legislation. The governor, through his power to awaken public opinion, can direct its attention to measures which he deems more important among the collection of measures offered for submission to popular determination. But no practical device seems available for conferring upon him or any of his col-

leagues legal powers of elimination among such proposals, without sacrificing the primary and radical purposes of popular legislation.

In the second place, shall the governor, as part of his province as responsible political head of the state, be empowered to set in motion upon his own initiative the machinery of direct legislation as a further means for pressing his legislative suggestions towards enactment into law? One governor has, without any formal authority of such character, but simply through his personal influence, secured popular decision upon measures which he had sponsored unsuccessfully before the legislature. Professor Barnett has pointed out that in 1912, because of the failure of the Oregon legislature to enact certain "good roads" legislation desired by the governor, the latter, upon his own responsibility, appointed committees to prepare measures and to obtain petitions necessary to require the submission of these measures to popular vote.<sup>1</sup> The same procedure was followed with respect to a "blue sky" bill and a "millage-tax" bill for the higher state educational institutions, submitted at the same election. Professor Barnett adds: "The governor was also largely responsible for the submission of the anti-capital punishment bill at the same election, and he was the real author of the bill for the consolidation of the desert land board and the state land board submitted at the next election." It may be added that each of these measures was defeated at the polls.

Various proposals have been made for attaching to the system of direct legislation provisions which would specifically extend the governor's powers of leadership in legislation. It has been proposed that the governor should be given power to initiate measures for submission to popular vote, without the intervention of any legislative action or popular petition. A more practical form of this proposal might be that the governor should be authorized to refer to popular vote any measure recommended by him to the legislature and failing of enactment by that body. Other suggestions have called for the automatic reference to popular vote of all measures rejected by the legislature after recommendation by the governor. It is argued that some such addition to the governor's power is necessary in order to give logical and practical completeness to the function which, with the acquiescence of public opinion,

<sup>1</sup> James D. Barnett, *The Operation of the Initiative, Referendum, and Recall in Oregon*, p. 12.

he is coming to assume as responsible political head of the commonwealth.

Thirdly, should officials of the state administration be vested with powers of determining the validity and sufficiency of petitions submitted for the initiation or reference of laws? In view of the aggressive leadership in legislation now so frequently assumed by the state administration, we are confronted by the practical question as to whether these officials, in their eagerness to protect measures which they have conducted successfully through the legislature from attack through the referendum, may not be tempted to exercise their powers of decision in the matter of petitions in such arbitrary ways as to prevent or obstruct the submission of such laws. In most states it is required that the petitions for the initiative or referendum be filed in the office of the secretary of state. This requirement generally carries with it the duty of that official to pass upon signatures the validity of which is questioned. That the exercise of such power may become involved in the political and legislative aims of the administration was revealed in connection with the investigation conducted by the secretary of state of Ohio upon the referendum petitions submitted in 1913. The methods and consequences of this investigation deserve consideration in some detail.

The system of state-wide initiative and referendum was established in Ohio in 1912 by constitutional amendment. In 1913 petitions were circulated for a referendum upon three of the acts passed by the legislature of that year. Neither constitutional nor statutory provisions in force at that time, affecting petitions for the initiative or referendum, established practical means for preventing or detecting fraudulent practices in making or soliciting signatures. Two of the acts upon which a referendum was sought were among the more important achievements of the extensive program of social and administrative legislation enacted by the Democratic legislature of 1913, under the guidance of Governor Cox. These two measures were an act establishing compulsory workmen's compensation through a system of state insurance, and an act substituting centrally appointed for locally elected tax assessors. The chief agency in the circulation of the petitions against these laws was the Ohio Equity Association, an organization representing certain industrial insurance companies and formed

for the purpose of securing the reference and defeat of the laws mentioned above. Accusations of fraud and corruption in connection with the circulation of the petitions were made to the governor, and at his direction a hearing upon the sufficiency of the petitions submitted was held by the secretary of state. The hearing brought out unmistakable evidence that extensive frauds had been committed and that practically every constitutional and statutory requirement affecting petitions had been wilfully disregarded. Many non-voters had been induced to sign; many names had been copied by circulators from city and telephone directories, hotel registers and poll lists; and many signatures had been obtained by payments to the signers or by misrepresentation of the contents of the petitions. Moreover, many abuses were disclosed in connection with the attestations by notaries public to the affidavits required to be made by the solicitor and attached to each part petition; these abuses were such as the failure of the notary to swear the solicitors, or swearing them by proxy, or swearing the solicitors when the notary had good reason to believe that names on the petition were forgeries.

Despite the large number of invalid signatures disclosed in the hearing before the Ohio secretary of state, there was a widespread popular feeling that the administration had displayed undue industry in throwing out questionable signatures and that it had taken advantage of the existence of fraud to throw out many petitions which were of only doubtful validity at worst. The secretary of state in his decisions and the attorney-general in his rulings were accused of using the powers of their offices, at the behest of the governor, to forestall arbitrarily the referendum. The governor's motive was considered to be determined by his fear of the test of a popular referendum upon the acts in question and in his desire to secure at all costs the power which would come to him from the patronage conferred by the tax assessor law. As a result of the secretary of state's decisions in the hearing the number of signatures adjudged by him to be valid was far short of the constitutional requirement. The secretary of the Ohio Equity Association applied to the supreme court of the state for a mandamus to be directed against the secretary of state to compel him to place the laws upon the ballot. The court refused to issue the writ, upholding the attorney-general's ruling that the secretary of state, as state super-

visor of elections, has authority to determine the sufficiency and validity of petitions filed with him, and that his decision thereon is final, unless such decision has been fraudulently or corruptly made or unless he has been guilty of an abuse of discretion; and sustaining also the attorney-general's ruling that a false affidavit or an imperfect swearing by the notary invalidates all signatures upon the part of the petition in question. This decision was rendered by a vote of five to one, the dissenting judge being the sole Republican judge on the supreme bench and the five majority judges including four Democrats and one Progressive.

In 1914 a special session of the Democratic legislature of Ohio passed a law to provide further safeguards for initiative and referendum petitions. The object of this law was to prevent a repetition of the frauds, but not of the executive interference, that appeared in connection with the petitions of 1913. This law established strict requirements as to the form and arrangement of petition blanks, required a statement of receipts and expenditures by circulators of petitions to be made before elections, provided penalties for methods such as those practised by circulators in 1913, and made provision for a preliminary local examination of petitions by county boards of election; these boards were not given powers of final decision but were required to report to the secretary of state cases of invalid signatures and illegal practices which they might discover.

Executive interference in legislation was a dominant issue in the state election of 1914 in Ohio. The Republican attacks upon the record of Governor Cox, who was a candidate for reelection, were directed partly to his activities in securing legislation consolidating and centralizing state administration, and partly to his policy of executive interference in legislation. This latter attack drew attention not only to his dominating leadership of the general assembly, but also to his part in blocking the referendum against two of his cherished laws, one of which greatly extended his powers of central administrative control. The Republicans were victorious in the election of 1914; and it is generally believed that the governor's activity in connection with the petition hearings of 1913 was an important factor in causing his defeat.

The Ohio Republican legislature of 1915 repealed the tax assessor law which had been withheld from the referendum. They



also passed a law giving to local tribunals final power in deciding upon the validity and sufficiency of petitions. This law provides that if the county board of election find any signatures insufficient, it shall, after notifying the persons concerned with the solicitation of those signatures, proceed to establish the insufficiency of the signatures before the court of common pleas of the county, whose decision shall be final. The county board is required to return the petitions to the secretary of state, with a certification of the total number of valid signatures on such petitions. The number so certified must be used by the secretary of state in determining the total number of valid signatures, which he is merely to record and announce. Thus power is withdrawn from the secretary of state to further the legislative aspirations of the administration by interfering with the application of petitions; unless the supreme court should hold that the statute cannot withdraw from the secretary of state power of judgment upon the validity of petitions, since such powers may be held to attach to him as a necessary implication from the constitutional provision requiring that the petition be filed in his office. It is probably desirable that such powers be wholly withdrawn from any state executive officer in order to relieve the administration of suspicion of prejudiced action. This is important in view of the aggressive leadership in legislative policy which governors sometimes incline to assume nowadays.

Recent centralizing laws in some states give the officers of state administration many subordinates in the various localities. A further consideration on the interworkings of state administration and direct legislation relates thus to the question whether this condition places dangerous powers in the hands of state administrative officers to further their legislative ends by exerting influence over their subordinates to promote the circulation of petitions.

Here again a recent experience in Ohio affords illustration for the question in point. The Republican legislature of 1915 passed a law upsetting the state liquor license commission which had been created by the Democratic legislature of 1913, and substituted local selection for state appointment of county liquor license commissioners. One of the members of the state liquor license commission who would be deprived of office by the new law, brought the pressure of his influence over the local commissioners in such a way as to secure their active coöperation in the circulation of petitions

against the liquor license ripper law of 1915. This law was defeated at the referendum and the law of 1913 was thus preserved and the state commissioner above mentioned maintained in office. After the election, the Republican governor who had been advocate and supporter of the new liquor license law, charged the commissioner with gross misconduct in office in urging his subordinates to use their influence with saloon keepers in such a way as to promote the securing of signatures to the referendum petitions, and ordered his removal from office. The supreme court, however, by a majority decision of the Democratic judges over the dissenting opinions of the minority Republican judges, restored the commissioner to office on the ground that the activities of the latter did not constitute gross misconduct in office. A decision uninfluenced by the partisan differences arising out of the issue of centralization of state government would probably have sustained the governor's removal. Nevertheless, the incident reveals ways in which officials of the state administration under a centralized system may be tempted to use their powers over local subordinates to promote attacks upon measures enacted by the legislature against their opposition. Under normal circumstances, public opinion will doubtless prove an adequate check to abuses of this nature.

It has been proposed to provide the governor with a regular way for obtaining popular decision when he unsuccessfully opposes measures coming from the legislature. This proposal calls for the automatic reference of all vetoed bills directly to the people in lieu of the return of such bills to the legislature, as at present.<sup>2</sup> It is argued that where the governor discovers defects in any bill sufficient to warrant his veto, the people, rather than the legislature which originated the bill objected to, should determine the conflict of opinion between governor and legislature.

A final consideration as to the consequences of direct legislation for the governor's position as legislative leader presents the question as to whether his position may be weakened by the opportunities which the system of direct legislation presents to adverse factions or interests to upset his legislative program. We have noted above that it was only by dogged persistence through possibly unfair means, on the part of Governor Cox that three of his measures were saved from attack by the referendum in 1913; and it is widely believed,

<sup>2</sup> Barnett, *The Initiative, Referendum, and Recall in Oregon*, p. 126.

by supporters as well as opponents of his policies, that two of those measures would have been defeated had the referendum been allowed. Furthermore, in 1915 two of the enactments for which Governor Willis had, in a less aggressive and open manner, stood sponsor before the legislature and the public, were defeated at the polls in the November election. It is obviously improper for the state administration to seek to protect its legislative program from outside attack, through its control over the machinery of petitions and elections or through its influence over local subordinates. Nor does there appear to be a practicable way whereby formal powers can be conferred upon the governor or his colleagues to defend their legislative achievements from interference through legitimate use of the referendum. It can only be suggested, therefore, that in so far as we approve executive leadership in the work of the legislatures we must also accord to the executives a tolerant hearing when they appear before the public as speakers in support of measures which, having been promoted by them successfully through the legislature, are subjected to the further test of a popular referendum.

The other side of the question of the interworkings of direct legislation and state administration relates to the effect of popular lawmaking upon administrative efficiency. Examination of the character of measures submitted by popular petition reveals that it is not only matters of social and economic policy or of general political structure, upon which the people demand the privilege of expressing direct voice. Some measures which have been popularly initiated relate to matters of administrative policy and some are of a semi-technical character. Thus during 1914 measures of the following titles were submitted by initiative petitions: regulating the placing, use and maintenance of electric poles, wires, cables and appliances;<sup>3</sup> creating a state board of drugless practice;<sup>4</sup> regulating requirements of dentists to practice in the state; creating a tax code commission to be appointed by the governor; consolidating the corporation and insurance departments.<sup>5</sup>

It is peculiarly in such matters of administrative legislation that constant and intimate communication between administrative

<sup>3</sup> In Arizona; adopted.

<sup>4</sup> In California; defeated.

<sup>5</sup> The three measures last enumerated were submitted in Oregon and were defeated.

heads and lawmaking authorities is required throughout the process of formulation and discussion of proposed laws. The neglect of our legislatures, when engaged in enacting laws affecting the forms and functions of administrative offices, to utilize the expert information and correction which they were in position to obtain from the actual administrators of these offices has been a primary factor in producing the inefficiency and wastefulness in our state administration, to which we so frequently point in dismay. Where administrators and lawmakers are at so much greater distances from one another, as must be true where the lawmakers are the voters acting directly in their various precincts, it is perhaps natural to question whether our administrative organization is not in danger of being further weakened by ill-coördinated extensions and modifications.

Two considerations would seem to determine the answer to the question just put, so far as it relates to the possibility and occasion for introducing further safeguards against the use of the instrumentalities of direct legislation upon matters of administrative and technical character. In the first place, beyond the exclusion of tax levies and appropriations from the operation of the initiative, it does not seem possible to discover a satisfactory basis for discriminating with any approach to practical and legal precision between laws, on the one hand, which relate to fundamental and general structure and policy and are, therefore, susceptible to reasonable judgment on the part of voters acting directly, and, on the other hand, laws which are of such technical and supplementary character, requiring specialized knowledge for their proper estimation, that they cannot be adequately judged by the mass of voters even under the tutelage of administrative leaders who may seek to inform them through the press and upon the platform. In the second place, examination of the subjects of measures upon which the operation of direct legislation is actually invoked does not disclose that we are in serious danger of extended misapplication of the system by using it for legislation of mere administrative and technical consequence. Titles of the character listed above, by way of giving illustrations of administrative matters to which direct legislation has been applied, are relatively few in number. The people do not frequently become interested in promoting or defeating legislation of such character.

To approach more nearly to a discovery of the ultimate effects

of direct legislation upon the operation of state administration we must revert to the subject of executive participation in legislation. We have noted that coöperation of the administration in the work of the state legislatures has been in some instances followed up by activity in the paths of direct legislation and that proposals have been put forward to facilitate this kind of activity. The accumulation of legislative duties upon the governor, the absorption of his attention in matters of legislative policy and tactics, make more indispensable a reconstruction and simplification in our state administrative machinery. If the governor is to become more of a legislative leader, two conditions are essential to make him a more responsible and effective director of administration. In the first place, state administration must be so consolidated as to unify and clarify his tasks as administrative leader; in the second place, the principles of expertness and permanency of tenure in the civil service must be so extended as to relieve him from the distractions attending the disposition of patronage and to provide him with a body of trained and reliable subordinates.

Thus through executive participation in legislation problems of direct legislation are interrelated with the problems of merit and standardization in the civil service, centralization and consolidation of administration, and the short ballot. Those who advocate the closest consolidation of our state government—to the extent of placing legislative and executive powers and responsibilities in the same hands, point to the initiative and the referendum as adequate safeguards against dangers of arbitrariness and venality that might otherwise make such a combination undesirable.



## PUBLIC HEALTH AND POLITICS

BY EDWARD A. MOREE,

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Words, like children, suffer terribly from faulty environment. "Politics" has been cramped, stunted and morally corrupted by its environment. There is no word in the English language that describes a more important field of human welfare and service. Yet what word expresses more contempt to the minds of many good people than the term "politician" or "professional politician"?

That is why the invitation to prepare this article was a request for a paper on "Ridding Public Health and Welfare Administration of Politics." "Politics," to the one who framed that title, means or rather connotes the same evils that are expressed by the word to probably a majority of people. It means, not public service and an activity in the affairs of the community, but corrupt politics, partisan politics, politics for the purpose of personal or party aggrandizement.

Now if we were to actually rid public health of politics we would strike out "public." Public health out of politics means merely the private practice of medicine.

The best way to rid public health and social welfare activities of politics is to put them into politics so definitely and so completely that the "politician," so called, will always realize, in dealing with these subjects, that they are matters of such vast importance in the every-day life of the people that the voters will not tolerate their employment by the "organization" for its own advancement, to the detriment of the agencies themselves.

In other words, I would erect before each social service agency, a gong and a sign. I would say on that sign: "Stop—Look—Listen. Look out for the public opinion express. This belongs to the public. Trespassers who fail to get out of the way of the engine will be run down!"

It is not difficult to establish a proper attitude towards social welfare activities in the mind of the politician. Let me say, parenthetically, that in referring to politician I do not in any way dis-

parage the man in public life, either the office holder or the man who directs the affairs of political organizations. The politician, or possibly I should say the elected official or political manager, is quick to seize upon policies that are popular. The one who doesn't soon goes into the discard. The wise political leader of all times has recognized certain fields in the public's affairs that were well placarded with "No Trespass" signs. The old-time politician occasionally disregarded these signs. Through a consistent working out of the law of natural selection, that kind of a politician has, to a degree, become a relic of an older and less enlightened time. The politician has acquired an instinct akin to a child's avoidance of a hot poker.

Recognizing, of course, that certain forms of government are particularly suited to advance the interests of the self-seeking politician, and that other forms no longer experimental seem well calculated to make more difficult the abuse of social welfare activities by political organizations, the author does not concern himself in this paper with governmental forms.

The most ardent supporter of the commission form of government for cities, of broad gauged reforms in county government and the cabinet system in the state government, will agree that in the last analysis the fact of good or bad government depends upon the kind of person administering it. Provide simplicity; provide clear lines of responsibility; provide adequate checks and balances and do away with district representation carried to an extreme in the administration of state, county and city affairs, and you have done about all that you can do by statute to eliminate the evil of partisan commercial politics.

Fundamentally, then, we are striving in all of our governmental reforms, to make it easier for the voter to get at the official responsible for maladministration. In other words, we are bringing governmental affairs out into the open, displaying them where all may view them, so that the honest, efficient official may be rewarded, and the dishonest, inefficient official may be effectively damned.

A "reform movement" is merely an attempt to focus public opinion on the particular phase of public affairs that needs—at least in the minds of the reform group—to be corrected. Realizing, then, that upon the voters themselves, in the last analysis, rests the responsibility for keeping *evil* partisan politics out of social wel-

fare activities, we must face not only the problem of stimulating interest in public affairs, but also the problem of so organizing the voters' interest that effective machinery will be provided for informing them as to what is going on, and in refocussing, as occasion demands, the public opinion which everyone knows exists, in support of efficient administration.

This problem is especially vital in the newer fields of social welfare activities. Labor departments are relatively new; departments of charities, with their immense institutions and large payrolls; prison departments with their prolific opportunities for graft and maladministration; and probably the newest important field of social welfare work, and the one with which the writer happens to be most familiar, the departments of health—are all comparatively recent additions to our governmental responsibilities.

Originally governmental function was restricted practically to police duty, at home and abroad, and to the duty of levying and collecting taxes for the support of that function.

People have long realized the importance of protecting the public treasury and the other original governmental interests from graft and inefficiency. They have set up all sorts of statutory protective devices. In the newer fields of public work, however, we have seen in recent years many disgraceful efforts to prostitute social welfare for party aggrandizement. These attempts have usually gone on until the voters have realized the extent to which the new activities affected the welfare of each individual. Then politicians and parties have received rude awakenings and the raids have ceased.

To meet this situation, and to serve as perpetual warning sign posts, and to focus public attention on the conduct of social governmental activities, there have sprung up all kinds of associations of private citizens brought together for the purpose of stimulating interest in various fields, and focussing public opinion on especially grave evils as they develop. To this new development is due in large measure the growth of a new attitude on the part of politicians toward social welfare activities.

The names of these organizations are significant of their purpose, and illustrate very well the growing recognition of the importance of stimulating and keeping alive public interest in public affairs.

Among these are our municipal leagues, city clubs, citizens' unions, legislative voters associations, civil service reform associations and public health associations. Closely allied to these are many organizations whose main purposes are other than that of interest in governmental affairs but who interest themselves more or less constantly in certain phases of national, state and local administrations. Among the latter are the grange, women's clubs, churches, lodges, labor unions and even organizations of officials themselves, such as state conferences of mayors, tax officials and other state and national organizations of elected or appointed officials.

The remaining space allotted for the presentation of this topic can best be employed by an account of a rather spectacular campaign to focus public opinion on the work of the New York State Department of Health, that succeeded in defeating one of the strongest political moves that could well be conceived.

In order to give an accurate picture of the situation, it will be necessary to give a short account of certain important developments that lead up to it. In this account, in order to fix clearly in the mind of the reader the political significance of certain events with which this article deals, persons and parties are referred to. It should be said here, however, that the author in no way questions the sincerity of their motives. The strengthening of a political organization is a highly important public duty. Those who opposed the attempted health legislation in New York State in 1915 believed that the public was served by preventing the building up of the organization at the expense of efficiency in such a highly important social welfare activity as the department of health.

Legislators who lent their support to the move to reorganize the state department of health did so, no doubt, from what they considered worthy motives. It is also undoubtedly true that their attitude was due to lack of information as to the standards that had been applied by the health commissioner in making his appointments in the reorganized department. They believed, from many sad experiences with similarly reorganized departments, that it had been done on a political basis, and that a desire for patronage had been the controlling motive with the opposing party in the enactment of the laws upon which the reorganization was based. It is only fair to say that many of the men who supported the bills

entirely changed their attitude when they knew the facts, and understood the spirit of social service that had actuated the commissioner throughout.

In 1913, the governor, Senate and Assembly being Democratic, a commission was appointed by Governor Sulzer to investigate the public health law and its administration. Based upon this commission's investigation a new health law was enacted, creating a public health council with power to enact a sanitary code for the whole state to take the place of the fourteen hundred antiquated sanitary codes then in existence in the fourteen hundred different towns and villages; creating nine divisions in the department of health; creating at least twenty sanitary districts, the health work of each of which should be under a sanitary supervisor; increasing the term of the commissioner to six years, and increasing his compensation, and in various other ways strengthening the law and increasing the department's opportunity to apply to the state's health work the scientific principles which have been developed by modern medical research. Public health experts in all parts of the country have declared the law a model and look upon it as a most progressive and important step in health legislation.

In 1914 Governor Glynn, a Democrat, appointed Dr. Hermann M. Biggs, who happened to be a Democrat, as commissioner, and the work of reorganizing the department of health began, along the lines established by the health commission, of which he was chairman. The appointment was in no sense political and the department was organized on the basis of merit alone. The reorganization of the department was substantially completed, and the work was fairly under way, when the legislature convened on January 1, 1915.

With a Republican governor, and a Republican Senate and Assembly, it was only natural that serious consideration should be given to a department headed by a Democrat appointed by a Democratic governor under the provisions of a law passed by a Democratic legislature and signed by another Democratic governor. Such proved to be the case for soon after the legislature convened disturbing rumors were heard in Albany as to the intentions of certain leaders of the majority in reference to the state department of health.

Confidential information from legislators who, by reason of



their prominence in the counsels of the majority, were competent to speak, indicated that there was a well-defined intention on the part of certain members of the majority to revise the public health law so as to make the position of commissioner untenable by the present incumbent, and to generally reduce the department's staff and its opportunity for advanced health work.

The State Charities Aid Association, an unofficial volunteer organization, receiving no public funds, through its tuberculosis committee had become impressed with the necessity for maintaining the efficiency of the state's health work. This natural interest in the legislature's attitude toward the health department was enhanced by the fact that the association had taken an active part in the investigation that preceded the introduction of the new public health law, and an even more active part in the campaign to secure its adoption.

The first formal statement as to the intention of the majority of the legislature in regard to the health department came on March 14. In announcing a program for the following weeks of the legislative session, the majority leader of the Senate stated that the appropriations for the department of health would be cut in half.

The effort to maintain the department and its admirable organization dated from that announcement, although previously the association had undertaken by circular letters and newspaper publicity to focus public opinion on the need for an appropriation for a tuberculosis division, and the need for adequate appropriations for the educational work of the department.

On March 23, the majority leader of the Assembly introduced the first of five bills, whose enactment would have greatly crippled the efficiency of the department. The association's work in support of the health department thereafter became most active and from April 1 was as intensive and effective as the association could make it.

These bills, if they had been enacted, would have made the position untenable by Doctor Biggs and would have driven out several of the division directors; would have made the establishment of sanitary districts by the commissioner discretionary instead of mandatory; would have reduced the number of districts to ten and would have reduced the salary of the sanitary supervisors to \$2,500; would have made the establishment of the nine divisions

of the department discretionary instead of mandatory. They would have stricken out of the health law the provision requiring the public health council to prescribe the qualifications of directors of divisions, sanitary supervisors, local health officers and public health nurses, thereby making it impossible to restrict the applicants for these positions to persons properly qualified to hold them. They would have required the sanitary code to be submitted to the legislature for approval before it could have the effect of law and would have repealed the present excellent sanitary code.

It is needless to describe to sane thinking men what the effect of the enactment of these bills would have been. We now know, for sure, as we had always assumed to be the case, that the department would have been safe even if the bills had passed the legislature, for Governor Charles S. Whitman would have vetoed them. The governor's admirable address before the American Public Health Association at Rochester was a whole-hearted intelligent endorsement of Doctor Biggs and his work and evinced a most encouragingly far-seeing interest in progressive health work. It nevertheless seemed wise to relieve the governor, as much as possible, of pressure from legislative leaders in this regard. No effort was spared, therefore, to defeat the bills in the legislative stage.

The campaign for the defeat of these five bills and for adequate appropriations for the department was essentially a campaign of publicity. It put a warning sign post all over the public health field in New York state. It was a successful endeavor to focus upon the legislature the public's opinion of the work of the state department of health. The association believed that the department had firmly entrenched itself in the public mind for the first time in the history of the state as an efficient organization working out a well-considered program for the reduction of the state's death rate by the application of the principles established by modern medical research. The problem presented, therefore, was to find means of expressing this sentiment to the leaders of the legislature. The success of the association's efforts was due, not merely to the methods employed, but also, and to very larger degree, to the fact that the department's work justified all that could be said in praise of it.

So great was the protest against the attacks on the department

that all of the five bills were defeated and the department was granted nearly adequate appropriations, although the appropriation bill carried the salaries of only ten of the twenty supervisors. Besides this, six bills which had been introduced in the Assembly and four in the Senate, all of them practically identical, and which would have stricken from the health law the minimum wage for health officers, failed of passage.

It seems likely that readers of *The Annals* may be interested in a short description of the details of the campaign. The plan involved first the creation of a psychological background of general newspaper publicity. We felt that against such a background our letters appealing for definite action and for the organization of meetings would bring better results. Second, we sent representatives into the field to organize meetings and to learn the extent and the kind of sentiment in the various localities, and to bring that sentiment before the legislature in the form of resolutions, letters, telegrams and newspaper articles. Third, of course, we requested and were granted hearings before the committees of the legislature to which the various bills had been referred. The publicity campaign extending over a period of six weeks involved the following efforts:

9 newspaper articles were mailed to 168 daily newspapers.

3 news articles were mailed to 866 daily and weekly papers.

2 stereotype plate articles, one column each, were expressed to a list of 440 daily and weekly papers.

Space was purchased in 55 of the leading up-state newspapers, in which was published a stereotype, two-column argument against the Hinman bills and in favor of adequate health appropriations. This reached a circulation of 851,538 and, judged by advertisers' estimates, was read by not less than three times that number, or 2,544,614 persons. The article indicated by its form that it was published in paid-for space.

866 letters were sent to the daily newspapers, thanking them for their cooperation and suggesting further possible editorials.

37 personal letters were sent to editors on a specially selected list, expressing appreciation of their special interest and suggesting further editorial comment.

Personal interviews with the editors of the New York City papers brought forth unanimous editorial support.

The results of this publicity campaign were extremely satisfactory and were, in measure, rather striking. Our clipping bureau cut nearly 1,100 separate clippings, 181 of which were editorials

and 915 news stories. The news stories alone showed that 12,595 inches of space were devoted to a discussion of the attack on the health department. We received over 1,250 inches of favorable editorial comment. Publicity experts figure that not more than one-fifth of actual results ever appear in a clipping bureau service. On this basis we secured the surprising total of 69,225 inches of space. This is more than a mile.

Practically all of the editorials were strongly favorable, regardless of the newspapers' political affiliations, and the same can be said of the news stories, with the exception of the very limited publication of a statement attacking the health department, issued by the introducer of the bills.

Four pamphlets or circulars comprised the printed matter which contained the "general orders" of the campaign—the basic arguments against the proposed legislation and in favor of the department's appropriations. Fifty-five thousand copies of these were sent to prominent persons throughout the state with appropriate letters.

The circular letters were most carefully prepared in order that they might not carry the impression that the movement was a display of artificially prepared sentiment. In all cases the recipients were asked to read as carefully as possible the memoranda and briefs which accompanied the letters and to write or telegraph to the legislature *any* opinion that they might reach upon consideration of the arguments presented. This is very different and creates a very different impression upon the legislators from merely seeking letters against a bill.

Remember that all the letters were read against a background of newspaper publicity. They brought forth thousands of personally written letters, telegrams, resolutions and petitions which showered in upon the legislature. In the early stages of the campaign one legislative committee chairman said that he had received a thousand letters of protest. Another received two hundred telegrams in one day. Inasmuch as the campaign ran on with increasing vigor for three weeks, these and others in the legislature undoubtedly received several thousand letters. One man characterized it as a snow storm—another said he had enough to carpet his office a foot deep.

The newspaper publicity and the letter campaigns were dovetailed into the field work. The field work, however, by reason of

the personal contact with prominent citizens throughout the state was, in large measure, responsible for the hundreds of appeals by prominent citizens to their legislators.

The newspaper publicity may be likened to the advertising in a merchandising campaign; the circular letters to the selling letters, and the field work to the appeal of the salesman for orders.

Two field agents visited thirty-five cities to organize and take part in public meetings at which resolutions were adopted, published in the newspapers and transmitted to the leaders and to the local representatives in the legislature. This action was made the basis of editorial comment, and the agents visited many editors and discussed with them the merits of the bills and the desirability of aiding in the movement to preserve the department's work.

In twenty-six localities meetings were called by the mayors, thus serving to give expression to official as well as the unofficial disapproval of the objectionable legislation.

Many organizations were called upon and practically all of them responded. This was especially true of the State Sanitary Officers' Association, the Association for Improving the Condition of the Poor, the Federal Council of Churches, the State Grange, the State Conference of Mayors and the Board of Directors of the National Association for the Study and Prevention of Tuberculosis.

This movement was unique in that little, if any, personal work was done with the legislators directly by the association's staff. Not one legislator was asked by any member of the association's staff to vote against the bills nor to try to hold them in committee.

The association did, however, strongly urge the legislative committees not to report them until all the facts had been presented at a public hearing.

Special efforts were made by letter, telephone and telegraph to inform all interested persons of the hearings, and to secure speakers who could discuss the various phases of the subject. As a result on the day of the hearing every seat in the Senate Chamber was occupied and there were many standing. And due to careful selection it wasn't merely "crowd." It was crowd that counted—each person representing some influential group in the community.

None of the bills passed. The most important and far-reaching result of the campaign, however, was the educational effect of



so widespread an effort to focus public opinion on a social service department of the state government. Never before in New York state had public health received such thorough discussion; never before had newspapers placed themselves on record to so large an extent in favor of the state's health work; never before had the people of the state so generally been brought to realize the significance of the department of health in the daily existence of each individual.

The people of the state know now that the health department is their department, that its work is their work and for their benefit. Consequently regulations are enacted with a minimum of protest and health work is more than ever before an accepted function of state government.

It is safe to say also that it will be extremely difficult for any effort to undermine the work of the state department of health in the near future to succeed in any considerable degree. Of course bills may be introduced to repeal important provisions of the health law, but legislators and politicians throughout the state realize now, as never before, the extent of popular support of the health department's work, and while nothing is more difficult to predict than the course of legislation, it seems unlikely that the leaders of any political party would consider giving such an attempt party sanction.

To keep machine politics of the old, bad type out of social service activities involves also, of course, the securing of the right men for important executive positions. In this, the lay unofficial organizations interested in the various phases of governmental affairs have important duties. Chief among these is an obligation, that nearly all will immediately accept, to support civil service reform and to combat all efforts to weaken the application of wise civil service laws. Beyond, however, there is another obligation—the duty to stimulate interest in public service among men of high type and high ideals and possessing the proper qualifications to fill either elective or appointive office. It frequently happens that such coöperating organizations can be of inestimable service in urging men of the right type to take civil service examinations, and offer themselves for appointment outside the civil service.

All of this, of course, assumes an absolutely disinterested, non-

partisan attitude on all social service questions and in all relations with parties and officials.

The value of such unofficial coöperating agencies was very strikingly attested by Governor Charles S. Whitman, in a recent address before the North Atlantic State Tuberculosis Conference. The governor expressed his gratification that so large a part had been taken in the tuberculosis movement by interested citizens and lay organizations:

"We need these local associations and societies," he said, "to hold the local authorities to a high sense of duty and to furnish the stimulus for securing the funds with which to carry on the work."

## THE EXECUTIVE BUDGET

By C. H. CRENNAN,

Editor in Charge of Volume.

"The budget provides a means through which citizens may assure themselves that their effort which has been diverted to community ends is not used for private gain, is not misused nor frittered away, but is applied to the accomplishment of those purposes which the community approves and is made to produce the maximum of results for the effort expended. Thus viewed, the budget is something more than a method of checking or reducing the tax rate, more than any scheme of accountants and efficiency experts. Above and beyond its relation to economy and efficiency in public affairs it may be made one of the most potent instruments of democracy. Given at least manhood suffrage, any government so organized as to produce and carry out a scientific budget system will be susceptible of extensive and intelligent popular control. On the contrary those governments, whatever their other virtues, which fail to provide adequate budget methods, will neither reach the maximum of efficiency nor prove to be altogether responsible to the people."<sup>1</sup> Thus did Professor A. R. Hatton set forth the full import of the executive budget as editor of the volume of *The Annals on Public Budgets* issued in November of 1915.

It is only because so recent an issue of *The Annals* was devoted entirely to a detailed discussion of the public budget that this fundamental part of any plan for responsible government is not included in the present volume. For the technical details of budgetary procedure and a full appraisal of the importance of the executive budget, reference must be made to the November, 1915 *Annals*.

<sup>1</sup> *The Annals of the American Academy of Political and Social Science*, November, 1915, p. vii.

## THE COMPETITIVE CLASSIFICATION OF PRESIDENTIAL POSTMASTERS

BY GEORGE T. KEYES,

Secretary, National Civil Service Reform League.

From the time of President Jackson the holding of federal office carried with it an implied obligation to help run the party machine. With an occasional protest, this service came to be taken for granted by the public. In federal, state and municipal service it was open, insolent and dominating. President Hayes issued an advisory protest against it which came to nothing. After the adoption of the civil service act in 1883, this activity continued, although in lessening degree among those inferior officials who were relieved from coercion by being brought under the civil service rules. In 1886, in answer to a public demand, President Cleveland issued his well-known order to limit this activity. It was only another advisory protest, and its enforcement rested in himself and in unsympathizing heads of executive departments. In 1902 President Roosevelt declared the Cleveland "order" to be still in force, but made no change as to the manner of enforcement and it remained only a protest. So far, no president believed that he could make a direct rule and enforce it without causing an opposition which would block the wheels of the government to an unwarranted extent.

In 1907 President Roosevelt took it up in earnest and made a real order. He amended section one of rule I of the civil service rules by adding the following paragraph:

Persons, who by the provisions of these rules are in the competitive classified service, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns.

The enforcement of this rule was thrown upon the Civil Service Commission, and the commission has performed its duty. The order is an epoch in civil service reform. The competitive classified service now embraces 292,296 places, and the holders of these places are confined to the quiet and efficient performance of

their public duties and are completely absolved from the quasi-feudal allegiance which compelled them to devote time on demand to running primaries and conventions. This is the tremendous victory which civil service reform has won.

The wholesome results of the separation of the competitive service, so great in volume, from politics, furnish the most powerful weapon with which to drive politics out of the unclassified service and to extend the system to state and municipal service. The patronage system cannot stand before the comparison.

The patronage system, and the more emphatically since the recent orders of President Roosevelt and Taft classifying as competitive the fourth-class postmasters, is now confined to a corner of the service. This corner, however, embraces over 100,000 places, some of them having high salaries attached and filled by men of ability, thoroughly skilled in political manipulation. With few exceptions, they hold their places on the recommendation of some politician, a senator, or a congressman of the dominant party, and in states where the party is not dominant, party committees, and private citizens commonly known as referees, make the recommendations. By whomever recommended, the office-holder feels a duty to his patron, and on demand will work days and nights in his interest. As the higher salaried offices are filled through appointment "by and with the advice and consent of the Senate," they cannot be classified under the civil service act of 1883 "unless by direction of the Senate."

In the main the federal service seems to be conducted with considerable efficiency, yet this practice violates every business principle. Except in the departments at Washington and a few other places, the larger offices in the unclassified service might be left vacant and the service would be as efficiently performed as now. The average United States marshal, the average postmaster of the larger cities, the average collector of customs, the average surveyor, the average collector of internal revenue, performs comparatively little service for the government. On its business side the employment of these officers is wastefulness and extravagance. The head of a considerable office should be the master mind of that office, thoroughly skilled, devoted to his duties, and his impulse should be felt in every part of the business. As a rule, he knows



little of the business. If it were not for the members of the classified service under him, he would be a helpless and useless hulk.

The first object sought by all workers in politics, whether office-holders or not, is the control of the party organization, the precinct and ward men and the county, city and state committees. The work required is in such bad repute that most citizens will not engage in it, and the structure represents the efforts of about 15 per cent of the party. Primaries and conventions are held upon the call of these committees. With rare exceptions, wherever there is a contest, cut-throat law applies. In any meeting the chairman may, and often does, decide that twenty is a majority over forty, although he is deafened by the vociferating forty. Repeaters, non-residents, insane men and dead men may be voted. The ballot box may be stuffed. A small minority may and do hold another meeting and elect delegates to a convention. At the convention the committee on credentials rarely decides upon the merits. It lets in the set of delegates the majority of the committee wants in the convention. These are well established rules in politics, and every worker in politics understands that he plays the game accordingly.

This is the kind of politics that the unclassified branch of federal office-holders engage in.

At the present time there is a political army of 9,000 presidential postmasters to be used by the President to aid him in securing legislation.

Is not the present system a form of bribery? A great American once said that to buy votes with your own money out of your own pocket was evil and demoralizing; in fact, in plain language, it is a crime known as bribery, but that to buy votes by gifts of public office was even more despicable because the purchase was made with other people's property, or, in other words, with the property of all the people appropriated by an individual or a party. I do not pretend to quote his words, but that was their substance and in that statement he put the argument for civil service reform in the strongest possible way. It deals with bribery, bribery made worse by the fact that the bribe offered does not belong to the briber and does belong to someone else.

Let us look the facts in the face. These appointments of postmasters are, under the rule of the courtesy of the Senate, with

rare exceptions, made for political reason. Political appointments under the "courtesy" rule became a matter of routine.

When these appointments are made in a campaign year, they come to have a peculiar signification. Frankly political, however much of a custom they may be, they can hardly fail to have an influence on local political conditions.

The controversy over the New York City post office throws a strong light upon the evils of the present system. Mr. Morgan has served two terms and President Wilson was asked to reappoint him by the business interests of the city. It is understood, however, that the President has been prepared to select a political soldier of fortune interested in public office solely as a base for the distribution of spoils.

It does not seem possible that the American people will long tolerate a condition which makes inevitable such an unseemly demand upon the President for spoils—a demand, too, made at a time when the President should be free to give his entire attention to matters of state of the gravest importance.

It seems plain that the time has come to take the post offices of this country out of politics and prevent a repetition of the Johnson appointment. The present system allows the business of the nation, the legislation of Congress, the duties of the departments, all to be subordinated to the distribution of patronage. The great officers of the government are constrained to become mere office brokers. Thousands of these postmasters remain outside the scope of the merit system. In Democratic states these patronage appointees are the political agents of their Congressional sponsors; in Republican states they are the political agents of the administration in power.

The present system is a medieval inheritance and commercial bodies and civic organizations ought to coöperate with the League to secure legislation providing for the competitive classification of first, second and third class postmasters. Will not public opinion demand the termination of such a situation?

The National Civil Service Reform League, by a resolution of its council, has entered upon a campaign for legislation which will provide for the competitive classification of first, second and third class postmasters.

The legislation needed to establish the merit system for these

post offices must, first, repeal the present provisions of the law setting a term of four years for these postmasters, and, second, either provide directly that for an appointment the advice and consent of the Senate shall no longer be required or that such advice and consent shall not be required when the President shall have classified postmasters of these classes. The tenure of office requirement has no place in the merit system, since it subjects the offices to possible, if not probable, change at the end of each term. The advice and consent of the Senate in such appointments is plainly inconsistent with an appointment from a competitive list.

The League's reasons for urging this legislation are briefly as follows:

1. These offices have nothing to do with the determination of policies. Postmasters are subordinates of the Postmaster-General and are no more than subordinate officials in charge of the business management of their respective offices. There is no more reason why a Democratic postmaster should be removed on a change in administration to make way for a Republican than that a clerk should be removed for similar reasons.

2. Under the present system all first, second and third class postmasterships are part of the senatorial patronage. Appointments are based not on merit, but on political considerations. A change in administration means a change in the postmastership at or before the expiration of term and the appointment of a new postmaster almost certainly having but the slightest knowledge of the duties of his office.

3. Under the merit system postmasters would be appointed and retained in office without regard to political considerations. Under such a system it would be possible to fill many of the postmasterships through promotion from the clerical force in the post office and in other cases by the promotion of a postmaster from a smaller to a larger office, on a basis of efficiency and competitive promotion examination.

4. The change would result in a material saving to the government. In a message to Congress on April 4, 1912, President Taft stated that there was a loss of at least \$10,000,000 annually because of the present method of appointment to local offices under the departments of the treasury, post office, justice, interior and commerce and labor, due to the fact that "two persons are paid for

doing work that could easily be done by one." He stated further that

if the position of postmaster (first and second classes) were placed in the classified service and these officers were given salaries equal to 20 per cent more than the salaries now given to the assistant postmasters, the latter position being no longer required, there would be a saving in salaries to the government of \$4,512,900. In the case of postmasters at offices of the third class a large annual saving could be made.

These recommendations were based upon the investigations made by the President's Commission on Economy and Efficiency.

5. The classification of these postmasters has been repeatedly recommended, not only by President Taft, as stated above, but by Postmasters-General Burleson and Hitchcock. Postmaster-General Burleson has on a number of occasions declared that he favored the classification of second and third class post offices in order that he might conduct the business of his department in a businesslike fashion. Postmaster-General Hitchcock went even further and urged the classification of first class, as well as second and third class, post offices, saying in his report for 1910:

This action, which is earnestly recommended, would unquestionably result in a still better standard of service. . . . The old practice of making frequent changes for political purposes has a most demoralizing effect and resulted in unwarranted expenditure due to poor management. If their positions were included in the classified service, postmasters could be continued in charge of their offices so long as they performed their duties satisfactorily, and whenever vacancies occurred they could be filled by the promotion of subordinate officers, thus insuring a constant management of men trained in the postal business. Incidentally, inclusion of postmasterships as a part of the classified postal system would furnish a new incentive for good work on the part of subordinates and employees ambitious to reach ultimately the rank of postmasters.

## OLD AND NEW PROBLEMS OF CIVIL SERVICE

BY HENRY MOSKOWITZ,

President, Municipal Civil Service Commission, New York City.

The history of governmental regulation generally starts with a policy of prohibition and develops into one of constructive instrumentality. The regulation of trusts, interstate commerce, and public utilities illustrates the same movement from negative prohibition to positive construction.

A commission is at first concerned with what cannot be done under given conditions. But it is constrained by the necessity of these conditions to work out what can be done. So that in very large measure the cause of regulation depends upon the capacity for constructive thinking and ingenuity of the regulators.

The history of civil service administration which is concerned with the regulation and control of public employment is no exception to this practice. The old problems of civil service administration were wrapped in the efforts of the civil service commissions to combat the spoils system. They were concerned with denial of exemption and with original entrance examinations. Naturally distrustful of patronage hunters, the pioneer civil service reformers regarded the merit system as a protection of the public against them. In the decalogue of their civil service bible, *thou shalt not* was continuously emphasized.

The early pioneers and conservative administrators kept the "front door" of the service barred to the spoilsmen. They had an almost oriental faith that the back door would take care of itself.

But administrators of the merit system faced conditions which necessitated a more constructive attitude toward the problems of public employment. They were forced to regard the civil service law and rules as instruments for efficient government, in so far as its personnel was concerned. Upon the practical administration of the merit system depended its growth and development. They had to meet the challenge of honest administrators of departments and successful men of affairs that the merit system substitutes incompetency for dishonesty.



This led to the consideration not only of the front door but also the back door problems of the merit system.

To depart from the language of metaphor—there are two aspects to civil service administration, first, the problems of selecting fit candidates to enter the service, second, the galvanizing of the service after they have entered it. The former relates to the technique of examinations and investigation of the qualification of candidates. Considerable progress has been made in this direction notably by the federal service, the Philadelphia Civil Service Commission and the Municipal Civil Service Commission of New York. Civil service examinations are not in established and sound commissions unrelated to the duties. The technique of examinations has developed to so great an extent that competition has proven practicable for very high administrative positions. The record of the present commission of the city of New York has demonstrated this to the most skeptical. It has secured the coöperation of high class experts in holding the examinations. It has supplemented written examinations by oral tests conducted by Boards consisting of men and women distinguished in the work for which candidates compete.

Such positions as director of the bureau of food inspection, salary \$5,000; director of public health education, salary \$5,000; director of the bureau of child hygiene, \$5,000; superintendent of the employment bureau, \$3,500; superintendent of the municipal lodging house, \$2,400; medical superintendent of Randalls Island, \$5,000; assistant director of the bureau of standards, \$3,500; medical superintendent of hospitals, \$3,500; overseer of the reformatory, \$3,000; superintendent of women prisoners, and other high class executive positions have been effectively filled through the civil service examination method.

Where a written and an oral examination were not deemed sufficiently adequate to judge the fitness of candidates, it has introduced practical tests. The commission gave for the first time in the history of the city service, practical tests for the positions of playground attendant, swimming instructor, psychologist, inspector of blastings, inspector of weights and measures.

Progressive commissions have resorted to the non-assembled test for certain positions, opening them up to the entire country. They have used the oral test with the aid of the best experts they

could get, coöperating with their examiners. They have become a specialized employment agency for their governments, some using the most effective advertising and publicity methods to attract men and women of calibre in competition. The New York commission has developed in addition a bureau of investigation which carefully considers the past employment record and any criminal record of the candidate, thus enabling it to disqualify the morally unfit.

By developing this selective process, civil service commissions have demonstrated the practicability of competition for positions, a long time regarded as exempt places, because competition was deemed impracticable. The zone of competitive classification and hence of the merit system was widened as a result of the ingenuity and constructive thinking by those commissions that devised practicable and effective examinations for these places. Civil service commissions have made considerable progress therefore in the selective process of choosing candidates for original entrance into the service.

What of the back door problems? What of the application of the merit system to employees after they have entered the service? Here is the unploughed field of civil service. These are the newer problems with which civil service administrators must grapple and reach constructive solutions. For, while private business has much to learn from civil service commissions in selecting employees fit to do particular jobs, progressive business men can teach governments how to keep their employees efficient. It must not be forgotten that private business can offer bigger material inducements, and that the only substitute for these inducements for many in the civil service is security of tenure and a pension system, both of which have not been properly guaranteed and safeguarded in the civil service of America—save in a few instances where the pension system is fiscally unsound from the standpoint of governmental expenditure. Among the problems of the back door the following are the most pressing:

1. Efficiency records and promotions;
2. Training for the public service;
3. Standardization of salaries;
4. Classification of employees—simplification of civil service procedure;
5. Pensions;

6. What should be the basis of lay-off discharge and reinstatement;
7. Removals;
8. Independence of commissions.

### *Efficiency Records and Promotions*

Every sound civil service law contains a provision for promotion examinations wherever practicable. Without an opportunity for promotions there would be no incentive to remain in the service. The civil service should provide a goal for the ambitious to reach as a result of their service record, and their demonstrated mental capacity to fill the higher grades through promotion examinations. There should be automatic increases of salary within grades, based on seniority and efficiency alone—but where duties change, and responsibilities are heavier, promotions should be based upon a record of efficiency, seniority and an examination relating to the duties.

To establish such sound lines of promotions is one of the purposes of a civil service classification.

A scientific classification is one of the most difficult problems of civil service administration. One needs but to attempt it to realize all the difficulties of arriving at distinctions between services, groups, grades and titles.

The civil service commission of the city of New York has co-operated with the Bureau of Standards of the Board of Estimate and Apportionment in working out a scientific classification. The Bureau of Standards realized the need of it for purposes of financial control, and as a basis of appraising the value of positions. One of the crying evils in the civil service of New York City, and indeed in the majority of the services of the country, is the inequality of salaries attached to the various positions. Men in positions of great responsibility are often earning less than men who are doing purely routine work, the appropriations for these salaries being based upon considerations which were purely personal to say the least. Salaries for positions should be based upon the value of the work done. In applying the principle of standardization due consideration should be given to employees who have been rendering faithful service to the government for a great many years and who have been accustoming themselves to a standard of living based upon their earnings. A ruthless

application of the principle except where inequalities are gross is unwise. In my judgment it should be gradually assimilated and apply to the vacant positions as they arise. But however one may differ with the application of the principle of standardization, no one can deny its soundness and its justice.

The work of such standardization is in the main a civil service function. For it involves a study of the duties, of position, for the purpose of formulating specifications, within services, groups, grades and titles.

Unfortunately there has been too great a separation between the appropriating authorities and the civil service commissions. They should work together. The commission is often better able to appraise even the financial value of a position, since it is most familiar with its requirements, and has an accurate register of supply and demand in the number and calibre of applicants who take the examination at particular salaries. Not infrequently a commission is unable to supply a list of adequate eligibles because the salaries for the positions, especially of the professional groups, are inadequate.

A closer coöperation between civil service commissions and the appropriating authorities is essential to the proper enforcement of the civil service law and to the proper financial control of the personnel service.

Standardization and a sound classification are therefore essential to a sound promotion system. The classification should contain logical lines of promotion and should simplify civil service procedure. It should be published and made accessible to employees in the service and to those who contemplate entering it. The municipal civil service commission will publish the new classification and other material to be later referred to in a manual or textbook which will be available to the public.

The problems of classification, standardization, efficiency records and promotions are all organically interrelated; the solution of one depending upon the solution of the other.

A sound efficiency record system is one of the most baffling problems of civil service administration. It should be related as far as practicable to a primary record of work; wherever possible it should have a fact basis. But the duties in the service are so varied, many being purely routine and subordinative, many being partly

routine and partly managerial, and many being solely managerial, that a fact basis for all the duties is impossible. In many cases the records must be the result of the superior's judgment. It is clear, however, that efficiency records ought not to be uniform for all positions, that factors of efficiency can be worked out, based upon an analysis of the duties, and that weights be given to those factors depending upon their relative importance for the work to be performed.

In purely routine positions the factor of quantity of work is more important than quality. In managerial positions the factors of quality, initiative and executive ability are more important than quantity of work. Personality is an essential element in managerial places—but personality is difficult to rate—its estimate is a judgment. When quantity of work is a prime consideration, it is essential that the average output be fairly ascertained, and that employees be carefully rated, as average, or below and above the average.

It is essential that the various departments experiment with a system of efficiency records, that they be stimulated to interest themselves in securing greater efficiency among their employees, and that they develop work measurements which will become standards for recognizing merit or for penalizing inefficiency in order to eliminate the dead wood from the service. A sound efficiency record system should serve as a means of reward and penalty.

The Municipal Civil Service Commission of the City of New York is experimenting with efficiency record systems in city departments.

It is aiming to secure the coöperation of the employees and department heads, for without such coöperation no efficiency record system will work. It is trying to avoid the danger of superimposing a paper system by studying department needs and by securing suggestions from the men on the job.

At the suggestion and with the coöperation of the municipal civil service commission, the police and fire departments of the city have added a new system of weights for excellent police and fire duty. Heretofore commendations and medals of merit having a weight in promotion examinations were given solely for excellent police and fire duty involving personal risk or physical courage. The commission thought this system penalized an excellent police-



man or fireman who did not have the opportunity of performing daring feats of physical courage. Some credit should be given in promotion examinations to members of the uniformed force who have a cumulative record of devotion to duty and of efficiency, for some acts involving presence of mind and quick judgment may prevent the accident which elicited the bravery of a policeman. Such prevention also should be rewarded. Even an outline of the new efficiency records introduced in the police and fire departments would transcend the limits of this paper. It is important, however, to emphasize that the commissioners, their staff officers and their men are actively coöperating with the civil service commission to improve the records. When a force in a department from the head down are thinking hard about improving the efficiency of the service and helping to devise suitable records for registering and rewarding it, signal fruits in administration are bound to result.

The Municipal Civil Service Commission in coöperation with the Bureau of Municipal Research is experimenting with a new efficiency record system. It is installing this system in a number of city departments, in the hope that experience will correct its defects, and make possible a system of service records which can be more generally applied. An outline of this system has just been published. In the language of this outline,

There are three purposes for which service records may be used:

1. By executives in the current administration of their departments;
2. By executives in recommending regular periodic increases within grades for competent employees, and by the appropriating bodies in their action upon such recommendations;
3. By the Municipal Civil Service Commission in establishing the relative standing on promotion lists.

The following factors and sub-actors are to be used in the preparation of ratings.

1. Management—To include:

(a) Work Results—

- Planning and organizing work
- Directing subordinates
- Quantity of group output
- Quality of group output
- Cost of group output

- (b) Improvements—
  - In technique of work
  - In organization
- (c) Reporting—
  - Promptness
  - Accuracy
  - Completeness
  - Special requirements
- 2. Individual Performance<sup>1</sup>—To include:
  - (a) Quantity—
    - Volume of work output
    - Industry
    - Speed
    - Productive overtime
  - (b) Quality—
    - Thoroughness
    - Accuracy
    - System
    - Orderliness
    - Improvements
    - Ingenuity
    - Resourcefulness
    - Imagination
- 3. Personality—Representing effect of personality upon fellow-workers and the public—To include
  - (a) Influence on fellow employees for team work and loyal coöperation.
  - (b) Appearance, courtesy, tact, willingness
- 4. Conduct—Representing the disciplinary and negative side of employment—To include
  - (a) Lateness and absence without leave
  - (b) Misconduct—
    - Inebriety
    - Insubordination
    - Misuse of city property
    - False accusation
    - Falsification of records or reports
    - Disobedience of rules of personal conduct

Regulation II—Classification of employments and percentages to be given to factors in each class.

1. From the standpoint of service rating, employments in the city service may be divided into three classes, as follows:

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<sup>1</sup> This factor is used in rating the work of employees both in those employments where definite standards as to quantity, quality and cost of work have been or can be established, and in those employments where it is impractical to establish such standards and an element of judgment on the part of the supervisor must enter into the rating.

- (1) Employments involving duties wholly or almost wholly supervisory and administrative.
- (2) Employments involving duties partly supervisory and administrative and partly performed independently or under supervision.
- (3) Employments involving duties wholly or almost wholly performed independently or under supervision.

The above factors shall be applied to three classes of employments as follows:

In class 1—namely, those employments involving duties wholly or almost wholly supervisory and administrative—the factors (1) management, (3) personality, and (4) conduct will be applied.

In class 2—namely, those employments involving duties partly supervisory and administrative and partly performed independently or under supervision—the factors (1) management, (2) individual performance, (3) personality, and (4) conduct will be applied.

In class 3—namely, those employments involving duties wholly or almost wholly performed independently or under supervision—the factors (2) individual performance, (3) personality and (4) conduct will be applied.

In connection with any efficiency record system two boards of control are necessary and are already provided for in the rules of Municipal Civil Service Commission, a departmental promotion, or personnel board, consisting of the higher officials in the department, which receives the reports of the officers immediately in touch with the subordinates they rate, and which *adopts a standard for the final rating* which it registers for the department in a given period.

The commission has urged upon the departments that the ratings be accessible to their employees to enable the latter to make their appeal before this board if they think they have been unjustly dealt with by their superior officer. For unless employees can seek redress for possible wrongs, the efficiency records will not be taken seriously and serve as an incentive.

The second board of control is the Board of Review, of the Civil Service Commission, which consists of the president, an examiner in charge of the records, and a representative of the department under review.

This board is the court of final appeal for any employee who thinks he has been unjustly rated. The board hears both sides

and decides. A number of such appeals from employees have been granted and one denied.

The commission will send a representative to attend departmental promotion board meetings, to act in an advisory capacity. The commission aims to develop employment specialists of the various departments, who will familiarize themselves with the problems of their personnel service and who will coöperate with these departments in the solution of their civil service problems. They will be ready to suggest the most efficient organization of the service to the commissioner in the spirit of coöperation. They will help the commissioner in working out the personnel service schedules of their annual budgets by suggesting proper civil service titles for new positions and by making any needed civil service adjustments which may be required. They will be especially useful to the commission in drawing up the requirements for original entrance and promotion examinations based upon their first hand knowledge of the department, thus aiding the commission in making examinations truly practical by relating them to the actual duties which incumbents must perform.

#### *Training for the Public Service*

Though the merit system aims to give government trained public servants, civil service commissions do not concern themselves directly with the business of training applicants for the duties they must perform. The commission assumes that a candidate who stands the test of its requirements is eligible for appointment to the place according to his standing on the list. The calibre of the successful candidates depends upon the standards of civil service tests.

Any other policy would subject the commission to the suspicion of favoring candidates who have taken the courses in the institutions which the commission approves.

The public schools, high schools, colleges, and universities can answer the needs of the civil service if they are alive to them. They have a rich opportunity to train for a public career and to establish courses based upon the practical requirements of the service. The commission can and does take cognizance of the kind of training a candidate has received in rating his experience. To this extent it encourages preparation for the service. The Municipal Com-

mission has taken even further steps, for it tries as far as practicable to coördinate its examinations with the work done in the service schools of the police department and the Fire College. It has freely given its advice to the responsible officials in charge of these service schools and has thus enabled them to give instruction related to the duties which must be performed in the higher grades for which promotion examination is taken. In addition the commissioners have advised, with representatives of the New York University, the College of the City of New York, and the public high schools, in their attempt to give instruction which will equip candidates for examinations to the higher professional service and even to the sub-professional and some of the other services.

The present administration of the government of the city of New York, recognizing the need of training for the public service, both for original entrance and for promotion, has coöperated with New York University and the College of the City of New York in a scheme of offering courses to city employees at a very nominal fee, which aim to equip them for the higher grades. They consist not only of theoretical training, but of practical courses, based upon the duties of the positions. The city has set apart certain rooms in the Municipal Building for instruction purposes. Courses are also given at these institutions. Fifty-one such courses have been offered. They cover a very large field from engineering, higher mathematics, English, philanthropy, chemistry, English composition, secretarial duties, advanced stenography, accounting, statistics, municipal government, and languages such as Italian, French, German, Yiddish, etc. In the language of Mayor Mitchel, "The courses were carefully prepared not only by the committee in charge, but by the Advisory Committee consisting of those technically qualified to suggest desirable lines of instruction in engineering and clerical subjects." The Mayor requested his department heads to call the attention of employees to these courses and to enlist their interest in them.

These institutions have established coöperation with some departments which will enable the students actually to do apprentice work under the supervision of a trained department specialist. Students of municipal sanitation and food inspection, for example, at the College of the City of New York, are given a chance to do field work under the guidance of an experienced official in the Bureau



of Food Inspection of the Department of Health. Students in municipal chemistry coöperate with the standard testing laboratory of the city.

The fees for the courses are kept low so as to enable every employee to take advantage of them if he wishes, without any great strain upon his financial resources.

This experiment of the Mitchel administration is, in my judgment, one of the most significant undertakings by the present government of the city. It is intended to offer the employees of the city every opportunity to improve themselves mentally so as to enable them to fill the higher positions as a result of a promotion examination.

The commission should as far as practicable remove the element of mystery in the civil service by publishing pamphlets and manuals which will give the public full and complete information concerning the requirements of examinations, both physical and mental, civil service procedure, lines of promotion, and any other information of use to the public. For this purpose the Municipal Civil Service Commission is now at work in the publication of a very elaborate manual which will be accessible to the public upon demand, and to institutions interested in training for the service.

The movement on the part of the urban universities throughout the country to coöperate with government is very encouraging. They offer to those interested in making public service a career all the resources of their plants, their trained instructors, and their technique of education. It is a sound application of vocational education. Until governments take the civil service seriously so as to enable employees to make a career in the public service, we shall never be able to have a trained body of public servants—a necessary condition of efficiency.

#### *Layoff, Reinstatement, Removal*

The vexing problem of layoffs, reinstatements, or removals will never be solved until a sound efficiency record system has been evolved which can be made a basis for this action. At the present time, the Civil Service Commission has not the data to assume the serious responsibility for governing the department head in this important matter. Theoretically, a department head ought to retain or dismiss employees upon their efficiency or seniority—I

have no sympathy with seniority as the sole basis of retention. This would result in the keeping of a routinier whose sole virtue was his length of service, performed in an average fashion. It would denude departments of young blood with enthusiasm, initiative and unusual ability. When a proper efficiency record system has been devised, the civil service commission should evolve a system of controlling layoffs and removals which will serve as a check upon the arbitrary action of commissioners.

An administrative court, under the jurisdiction of a civil service commission, coöperating with representatives of departments, and controlling a sound efficiency record system is the ideal method of handling the problem of removing employees. It is the constructive solution for the dilemma of court review, with its legal technicalities or the arbitrary power of an executive.

#### *Pensions*

A fiscally sound pension system is a desideration of every merit system. A pension for long and faithful service will help retain the best blood in the service, and partly check the allurements of the material inducements of private employment. It is an insurance to which every employee should look forward against the infirmities of superannuation. It is recognized as an essential insurance feature of the civilized governments of Europe, and its absence from the federal service as well as from the many state and city services of this country reflects no credit either upon our humanity or upon our foresight. In very few of the services where pensions are provided are they fiscally sound. In New York City the pensions systems of the police department, as well as the teachers' pensions are so financially unsound, that some pressing action by the legislature and the city government, placing them upon a proper foundation, is imperative. The Mayor's Commission on Pensions has been making a careful study of the entire situation and one of the most scientific reports ever issued in America is promised—action based upon this report's findings will, it is hoped, give to the city of New York a comprehensive and fiscally sound pension system for its employees.

According to Henry Bruère, the city chamberlain, who has actively supervised this important pension study,

On December 31, 1914, 8,200 pensioners were provided for out of eight separate pension funds, involving an expenditure exceeding \$5,000,000. Each of these funds was established on a basis of prodigality without reckoning future costs. It is proposed to establish a sound pension system for the entire city service, with rates actuarially determined and with reserves set aside to meet future liabilities after the manner of sound insurance financing.

When this is accomplished, one of the most important links in the merit system of New York City will be forged.

### *Independence of Commissions*

The independent status of civil service commissions must be firmly established before the public will be guaranteed an absolutely impartial enforcement of the civil service law. A commission created by an executive and subject to his removal even without a hearing is not, except in rare instances, entirely uninfluenced by his wishes. If the executive is in sympathy with the merit system he will appoint commissioners who will fearlessly enforce the law. If he is a spoilsman he will man the commission with men in sympathy with his political methods, who will in consequence interpret merit out of civil service rules, and undo the work of conscientious predecessors in a very short time.

The function of a commission is partly judicial, partly legislative and partly administrative. A weak commission will do the bidding of its creator in the important work of classification, and by exempting places in the service, throw them open to the executive's henchman to feed the grist mill of his political machine.

To insure conscientious allegiance to the principles and intent of a civil service law, the tenure of office of commissioners should be such as to make them, or the majority of them, independent of election results. They should be as untrammelled as judges, for their work requires the same quality of mind, in addition to a sound, practical judgment and a deep knowledge of civil service law, rules and procedure.

Whether commissioners themselves should be classified is debatable. I am inclined to believe that appointment for overlapping terms by which the majority of the commissioners remain and one commissioner is added during the term of an executive, barring unforeseeable vacancies caused by death, resignation or charges, is a solution in the right direction.

But until commissioners, like judges, are made independent of political influences in their selection and their tenure, the public will never be entirely free from the suspicion that political considerations enter into their determinations. To liberate the merit system from every vestige of political influence, and to insure commissioners freedom from political pressure, give them long terms and make their tenure secure, consistent with efficiency.

One of the practical advantages of this desirable reform is to retain in office men who are experienced in the complicated problems of civil service administration. Under the system by which the majority of commissioners are at present appointed, the public loses the benefit of their knowledge when they have become particularly useful and expert. For then their term of office expires, and unless the executive is politically friendly or in sympathy with the merit system, he is not reappointed on his record. The merit system does not in practice apply to those who are vested with the responsibility of enforcing it.

Fortunately public opinion in favor of the merit system is strengthening and growing, so that executives in sympathy with the spoils system dare not tamper too obviously with the civil service law. But we need a more aggressive and enlightened public opinion in favor of the merit system to secure such fundamental provisions in the various civil service laws of the country as will insure the appointment and retention of commissioners who are sound, expert, impartial, and fearless administrators.

When merit is intelligently applied to the service after employees have entered it, when efficiency records, promotions, classifications, sound pensions, a fair system of layoffs, reinstatement, and removals are established in full, when the back door is as securely locked to the spoilsman as the front door, and efficiency in government is maintained and developed—then will the newer problems of the merit system be finally solved. Upon their solution depends the reconciliation of democracy and efficiency.

## THE SHORT BALLOT MOVEMENT AND SIMPLIFIED POLITICS

BY RICHARD S. CHILDS,

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In foreign countries they talk about politics and politicians, but they do not mean what we mean. With us the world of politics is largely made up of an enormous mesh of mechanical detail in which the average citizen quite properly takes but little interest. He attends to his own business and leaves politics to politicians. The politician is not necessarily an office holder, and if he is, it is not this fact which makes him a politician. He may be an office holder, either appointive or elective, and yet not be a politician at all in our unique American meaning of the word. By a politician we mean a man who makes a business of citizenship and the duties thereof. He knows that the name of the state treasurer is Peter Jones, that his term expires next January, that the election for his successor will be held in November, that the primaries come in September, that Peter Jones will not be allowed to have the office again but that it will probably be bestowed upon Peter Smith who has been working hard for the party with this object in view and has won the favor of the politicians in the dominant party.

Of all this Mr. Average Citizen is entirely unaware. He does not even recall that the term of the state treasurer will expire, yet in due time when election day comes in November, Mr. Average Citizen will vote for Peter Smith because the magic word "Republican" stands opposite Mr. Smith's name on the ballot. Ask Mr. Average Citizen as he emerges from the polling booth whom he voted for for state treasurer and he will not have the slightest idea. He voted for the Republican, whoever that was. He expressed no opinion of his own for the simple reason that he had no opinion to express. Mr. Average Citizen is not a politician. Why should he know anything about the state treasurer?

The problem of democratic government is how to make Mr. Average Citizen substantially as familiar with politics as Mr. Politician is. The old remedy is to say that "all good citizens should go



into politics." Or "there should be a civic uprising of the people." Or, "it is Mr. Average Citizen's own fault for failing to take an interest"; but in spite of years of preaching, that remedy has never been adopted, except in occasional and temporary abnormal paroxysms of civic effort when some unusual scandal occurs.

The remedy offered by the short ballot advocates reverses the sequence. The short ballot demand is—make politics so simple that what the average citizen knows will be all there is to know, thus leaving nothing of importance to furnish an exclusive field for the activity of the politicians. Today politics is partly in the hands of the people and partly in the hands of the politicians. Abolish the politicians' end of the game and you may get popular government in reality.

Take for example the state government of New York! The people elect and select a governor. They also elect, but do not *select*, a lieutenant-governor, secretary of state, state treasurer, comptroller, attorney-general and state engineer and surveyor in the state administration. When the party leaders pick out a candidate for governor they anxiously consider the question "How will so-and-so take with the people?" When they pick out a man for state treasurer no such question comes up. It is not necessary for a state treasurer to take with the people. If they should nominate an experienced banker for the post, the fact of his superior fitness would not make him liable to win, and it will pay them much better to nominate somebody who is officially connected with labor or the farmers or with some region of the state which is politically important. And the state treasurership becomes in reality an appointive office, appointed by one or the other of the groups of party leaders, who have no legal or official responsibility for the results. Consult the tabulated election returns and you will find that he was elected by almost exactly the same number of votes that elected the comptroller and the state engineer and surveyor and the other minor officers. Often the total variation between the foremost and the hindermost candidate on the tail of a given party's ticket is less than 2 per cent, demonstrating incontestably that the voters did not pick and choose among the candidates for the minor offices, but voted blindly under the guidance of the magic word "Republican" or "Democratic." When the state treasurer is duly elected and goes into office, he does not issue his statement to the people thanking

them for the responsibilities with which they have entrusted him. No paper in the state would print such a statement except as a curiosity. He does, however, manifest his gratitude in less public ways to the coterie of men who are really responsible for his being there, *i.e.*, the party leaders and those other political friends whose persistent wire-pulling and intriguing with the party leaders, brought about his nomination.

That the administration of the treasurer thus chosen will be political goes without saying, unless the party leaders happen to have mistaken their man. Of course there is the civil service to protect some of the rank and file. And there is probably one deputy who has been in the department for many years and has become so indispensable to its operation that none of the transient amateurs who come and go above his head could get along without him. The state treasurer himself does not need to do much, and even if he is capable of learning all the possibilities of his office, he does not need to bother unless he wants to.

A state treasurer of New York committed suicide a few years ago. He was a far from brilliant man, but he was honest and his books were found correct. An investigation of his office was pending and the explanation given for his suicide was that he dreaded the humiliation which would follow upon the disclosure of his ignorance of the technique of his office.

So long as a little office like the state treasurership continues to exist on an obscure elective basis, two things are bound to happen. First, the state treasurer will be appointed by politicians. Second, politicians must continue to exist because there has got to be someone to appoint the state treasurer. Likewise, of course, with other minor offices in the state and city and county.

The short ballot remedy is to transfer the power to appoint the state treasurer from the politicians to the first citizen of the state, *i.e.*, the governor.

Now it is quite possible that the governor would appoint the same man that the politicians did and for the same political reasons. Nevertheless, there is an essential gain. The fight against inefficiency will be transferred from a jungle to an open field. The elective treasurer *must* be in politics; the appointive treasurer only *may* be. The politicians would rather appoint the state treasurer direct amid the hurly-burly of a popular election than be obliged to

importune the governor to appoint their man. For the governor may or may not be amenable to their reasoning. Quite possibly he had conferred a greater favor upon them by accepting their nomination for governor than they did upon him by offering it. He was elected at any rate largely because he found favor with the rank and file of the people. The politicians only helped and their hold on him is correspondingly weaker. Add to this the unpleasant fact that a governor becomes a popular hero every time he hits a politician over the head.

The change to the appointive or short ballot system thus cannot be guaranteed to take the administration out of politics and out of the hands of the politicians, but it can and does make the continuation of politicians and of their style of politics conditional upon the friendliness of a public officer who must accept conspicuous responsibility for his attitude. We can beat the politician on that battle-ground.

Braddock's army was helpless against the Indians in the natural ambush of the forest glades. It defended itself easily when George Washington had led it out into the broad meadow-lands.

## MAKING LEGISLATORS LAW MAKERS

BY JOHN A. LAPP,

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### THE PROBLEM

*Representative Bodies.* The discussion of the problems of legislation has usually centered around the forms of legislative bodies. The problems of bicameral legislatures, the cabinet system of responsible government, and questions of apportionment have been quite generally discussed. These discussions of form have obscured the consideration of the workings of legislative bodies in their effort to translate the will of the people into workable statutes. The breakdown of our legislative system has, however, finally forced upon our attention the necessity of a thorough-going examination of our entire scheme of representation and of the workings of legislative bodies.

The effort to improve legislation first centered about the question of making legislators truly representative of their constituents. In many states that problem has been solved by the adoption of the initiative, referendum and recall which have, to a large degree, made legislators look to their constituents for guidance in making laws. This new method of insuring responsibility is in wholesome contrast to the old method of checks and balances whereby the people attempted to protect themselves against legislative bodies by shackling all legislatures with restrictions that prevented them from doing things which ought to be done as well as things which ought not to be done.

The people of this country inherited a fear of government through their experience with governments imposed on them from without. They feared their own representatives and lest they should do some harm by arbitrary action, their methods of doing business were narrowly restricted. "It is against the enterprising ambition of this department (the legislative) that the people ought to indulge all their jealousy and exhaust all their precautions," said Madison. "The legislative department is everywhere extending the sphere of its activity and drawing all power into its impetu-

ous vortex."<sup>1</sup> Throughout our history these fears thus expressed have found lodgment in the constitutions of our states and the effect has been disastrous upon the capacity and effectiveness of legislatures.

Having expelled the fear which has long been felt of the tyranny of legislative bodies, through the adoption of direct methods of action against legislators and the laws which they enact, it would seem that the time had come for a thorough examination to see that legislators who now have become, through the influence of popular control, more truly representative of the people, shall have the facilities for the performance of their function of law making. We have doubtless secured or are securing representative legislatures. Our present duty is to work for efficient legislatures.

Four distinct problems confront the legislator in his attempts at law making. First, he must express the will of the people. Second, he must express the intent of laws clearly. Third, he must keep within the constitutional limitations; and fourth, he must provide for enforcement.

*Interpreting Popular Will.* The purpose of the legislature being to translate the will of the people into laws requires on the part of the legislator that he give close attention to the economic and social conditions which inspire the people whom he represents to favor or oppose the passage of laws. He should not, of course, be entirely subservient to the views of his constituents because it is assumed that he may be able from greater knowledge and broader experience to interpret needs better than those to whom it has not been given to see the effects of the things which they propose in their broadest aspects.

There is not a very clearly established notion in this country as to the constituency to which the legislator is responsible. While it is accepted that a member of a legislature should represent the people of the whole state and approve acts which are for the benefit of the whole state, as a matter of fact, being responsible for his election to the people of his legislative district, he is compelled for political expediency to ignore the high standards of statesmanship which would set state benefits against local benefits, because he must ask his local people for their votes and his continuance in

<sup>1</sup>*Federalist*, No. 48.



public life practically depends, not on how he serves the state, but on how he serves his local community.

As a practical proposition, therefore, it is doubtful whether we can have legislatures which will look at questions from the standpoint of broad benefits so long as the members are compelled to look for their election to voters whose views and vision are entirely local. The legislator who can lead his people to see the righteousness of his course in supporting state interests instead of local interests, is of course the ideal legislator. Few members in any state, or in Congress, have a state or national conception of their work and few have such qualities of leadership as are necessary to overcome the influence of local benefits or prejudices. The legislator who is capable of analyzing economic and social conditions and of harmonizing state and local interests is the true representative. We cannot have the full realization of the benefits of representative government without such men. But we cannot have any great number of such men until one of two conditions prevails—first, the education of the people to a recognition of the supremacy of state or national, over local needs or opinions, or second, a rearrangement of representation so that a part or all of the legislators will be elected on a general ticket covering the whole state.

*Expressing Intent.* Among the problems of law making none is so difficult as that which inheres in the use of language. The difficulty of expressing the intent of a difficult law in exact words is very great. A single word or a misplaced comma may change the entire meaning of a law. Moreover, every law must be framed not merely according to the present conditions but as John Stuart Mill says: "every provision requires to be framed with the most accurate and long-sighted perception of its effect on all other provisions and the law when made should be capable of fitting into a consistent whole."

Of the use of words, Cooley says:

The deficiencies of human language are such that if written instruments were always prepared carefully by persons skilled in the use of words we should still expect to find their meaning often drawn in question or at least to meet with difficulties in their practical application. But when draftsmen are careless or incompetent these difficulties are greatly increased and they multiply rapidly when the instruments are to be applied, not only to the subjects directly within the contemplation of those who formed them but also to a great variety of new

circumstances which could not have been anticipated but which must nevertheless be governed by the general rules which the instruments establish.

Justice Stephens of England emphasized the same point in a striking passage in which he said that he

was not accustomed to use language with that degree of precision which is essential to everyone who has ever had to draft acts of parliament which, although they may be easy to understand, people constantly try to misunderstand and in which, therefore, it is not enough to attain to a degree of precision which a person reading in good faith can understand; but it is necessary to attain to a degree of precision which a person reading in bad faith cannot misunderstand. It is all the better if he cannot pretend to misunderstand it.

Any person who has had to frame even the simplest statutes where no other complications were present except the mere difficulty of expression of exact meaning, has had abundant proof of these statements. A change of the single word "or" to "and," which words in legislation are usually interchangeable, considerably weakened the Inheritance Tax Law of Indiana. The surreptitious change of the word "such" to the word "all" in enrolling a bill in the same state a few years ago, removed the teeth of an important law affecting railroads.

The California legislature had to be called in special session in 1911 to correct a single word in a constitutional amendment which had been passed. The Maine legislature of 1915 was also called in special session to correct a single word in a workmen's compensation act.

Experiences might be multiplied on this head all tending to prove the obvious facts that the most precise and far-sighted care must be taken to make any law effective.

*Constitutional Limitations.* The difficulties above mentioned confront the legislatures of all countries, but in addition there are supplementary difficulties in this country because the law must fit into and not exceed the provisions of the federal and state constitutions. The constitutions are the centripetal forces holding the law to certain limits which the centrifugal forces of progress always tend to exceed.

Four distinct matters must be considered in the state legislatures: First, is the power one which has been given to and exercised by congress? Second, is the power one which has been denied to the state by express terms of the federal constitution? Third, is the power one which has been denied to the legislature by the state

constitution? Fourth, has the bill been prepared and adopted in strict conformity to the rules laid down by the state constitution? Thus the inherent difficulties of correct expression are supplemented by the practical difficulties of conformity to state and federal constitutions and of enactment according to methods prescribed by the state constitutions. The bill drafter must know, not only the broad principles of constitutional law but he must be familiar with every detail of the state and federal constitutions.

*Enforcement.* Provisions for enforcement are no less important than the matters just mentioned. Enforcement requires attention to the economic and social basis, exact wording and constitutional limitations. Laws will not be enforced contrary to public sentiment; laws cannot be enforced which are uncertain in meaning; and laws contrary to constitutional provisions are null and void from the beginning. "Laws shall be expressed in plain language avoiding so far as possible the use of technical terms" declare some of the constitutions. Penal statutes are always strictly construed. Courts will not punish offenders under an uncertain statute.

Laws which are to be enforced by administrative officers are attended with peculiar difficulties. How to give the right measure of authority to administrative officials and how to secure government of laws and not of men without destroying efficiency are foremost problems in modern legislation. The attempt to prescribe exact details of administrative action by legislators ignorant of administrative law and practice, often destroys the efficiency of laws. Mill's strictures on legislative bodies are equally true today when he said that a popular assembly is not fitted "to administer or to dictate in detail to those who have the charge of administration. Even when honestly meant, the interference is almost always injurious. Every branch of public administration is a skilled business which has its own peculiar principles and traditional rules many of them not even known in any effectual way, except to those who have at some time had a hand in carrying on the business and some of them likely to be duly appreciated by persons not practically acquainted with the department."

#### THE MACHINERY OF LEGISLATION

*Qualification of Members.* The existing machinery of legislation is almost wholly inadequate to do the work which is required.

Representative government has not brought men of the greatest capacity into legislative halls. Legislators are universally elected from small districts. The influences surrounding them are too often local and provincial. Wide acquaintance with social and economic needs is uncommon.

Very few legislators have had experience fitting them for making laws. It is common in many states to find fully three-fourths of the members who are totally without legislative experience. A large percentage serve only one term. By the time they learn the first rudiments of legislation the session is over. Few members are familiar with the laws which they propose to amend or supplement. The statute book is so much Sanscrit to many. Yet these men amend old laws and pass new ones affecting the life, liberty and property of all the people of the state!

*Qualifications of Employees.* The lack of qualifications of the legislators themselves might be overcome by an efficient organization of clerical, legal and expert assistants. This has, however, not been very generally done in state legislatures. In almost every state the assistants are appointed solely on political considerations. It is a common practice to divide the patronage among the members of the dominant party—each member having one or more appointments. In consequence, legislatures are compelled to begin their work with crudely working machinery. Everyone, who has had anything to do with organizing forces of assistants, knows the difficulty of bringing together quickly a body of assistants who will work together. Under most favorable conditions the difficulty is extreme but under existing conditions in legislatures it becomes impossible. So, instead of being relieved of technical matters of legislation by a skilled body of assistants, burdens are added to the members. The usual legislative session is nearly over before the clerks and assistants actually learn their jobs.

Very little attention has been given to the higher grades of assistants. Legislatures seem to have been afraid of employing the man who knows thoroughly the work of legislation or the man of expert attainments in bill drafting or the constitutional adviser or the research man. The personnel of the legislative force seldom contains any assistants of this class.

*Limitation of Sessions.* In all but sixteen states, there is a limit to the length of sessions. This limit varies from forty to

ninety days. In most instances the limit was fixed years ago when the demands upon the legislature could probably be met during the period fixed. This is not the case, however, in any state at this time. The limitation of sessions assumes that the legislature is a necessary evil which must be curbed at every point and which must be got rid of just as quickly as possible. Such limitation fails to recognize that legislatures meet to consider and pass upon present needs. They ought to be free to spend as much or as little time as necessary to do their work efficiently.

*Special and Local Legislation.* Much of the valuable time of the members is spent in handling special and local acts about which very few of them can give any intelligent judgment. In the states where special and local acts are narrowly limited, the tendency to pass such acts by indirection is very great. The general statutes of the states are filled with exceptions which have been forced into the laws by local or special interests seeking advantages. At the same time, while it has not cured the ills of special legislation, the provision against special and local legislation adds immensely to the difficulties of keeping within the constitutional limitations.

#### THE REMEDY

The writer does not believe that there will be any decided improvement in the ability of legislators except as the whole mass of the people are improved by education. Such betterment, moreover, will be more than offset by the increased complexities of law making which each year adds. It is not to be expected that legislators will become expert law makers. It is out of the question that members will be able to investigate intricate subjects, examine legal technicalities, draft bills or pass upon details. That would imply a race of supermen. Such a body would not be representative of the people. So long, therefore, as we have representative government, we must expect the members of the legislature to be ordinary, intelligent men without expert knowledge. Indeed, true representation implies that all interests should be represented in the legislature. The legislature ought to be the forum where every class of our citizenship should have a hearing through representatives in sympathy with their ideas. Probably before we shall have such a legislature, some plan of proportional representation must be devised which will insure the representation



of minorities in proportion to their strength. By means of the initiative and referendum, legislative responsibility to the whole state is assured. By the recall, responsibility to their constituents is certain. If to these can be added such a scheme of organization as will relieve the legislators of the things which they are not fitted to do, and leave them the things to do which representative bodies should really do, there ought to be vast improvement in the quality of legislation.

*Improved Organization.* To enable the legislatures to do their work the first improvement must be in the organization of the assistants who are to do the detailed work. There must be some permanent, expert, non-partisan official, or officials, who makes of legislation a permanent business and who can bring to the representatives of the people an efficient kind of professional service. Legislators ought to be relieved of the details of law making so that they may be left free to decide upon general principles.

In any scheme of organization, attention needs to be directed to the committee work. This is the vital part of legislation. The legislatures justly rely upon their committees to sift matters referred to them and present back to the body suitable recommendations together with proper drafts of the bills favored. If the work of the committee has been done in ignorance or if the bills reported back have not had the attention which they should have received, the committee work is a failure. Committee work ought to be responsible work; thorough analysis of every bill should be made and every member should go on record in every action taken on the bill. Since the members of committees cannot give personal attention to all of the bills referred to them and since they are not qualified to frame statutes and pass upon their details, it follows that if any expert work is to be done by the committees, specially qualified assistants should be provided. Such assistants would serve the committees in the same way that the corporation lawyer or engineer serves a board of directors. Any committee which attempts to do its work with its own clumsy hands, will not give us the kind of legislation needed.

*Legislative Information.* A solid background of information is also imperative. Legislators ought to be guided by experience whenever experience will show them the way to success or point the way of failure. Every state may profit by the experience of

other states and foreign countries. There is nothing new under the sun, at least for all practical purposes, and the problem of efficient legislation is to utilize all the data of experience in formulating laws and deciding upon their enactment.

Until very recently nothing worth while had been done to gather the experience of states and countries and make it available for legislative guidance. In contradistinction to the failure to provide guides for legislation may be mentioned the extreme care and great effort extended in the gathering of judicial experience for the guidance of courts. Every supreme court has at its command every court decision rendered in this country and in English-speaking countries. Legal clerks are at its service to sift every case to the bottom to find out what interpretations have been put upon similar cases. The legislators have had no such efficient guides, although it is a far more difficult task to frame statutes than to interpret them. The legislative reference departments have made a good beginning in many states but their inadequate facilities do not make them compare favorably with the facilities for judicial interpretation. Vast amounts of information are being gathered by these departments. The light of experience is beginning to be thrown on law making but not until better methods are employed to translate intricate facts into material understandable by the legislators, will this agency solve the problem of legislative guidance.

*Legislative Drafting.* Closely related to legislative information is the subject of bill drafting. It is through the medium of a bill that the carefully collected information of the legislative reference bureau may be translated into concrete statements. Expert bill drafting is an absolute necessity in any plan of legislative reform. Members cannot draft bills and they ought not have that responsibility placed upon them. Nor should they as a body pass upon details.

It is impossible (said John Stuart Mill) that these conditions (accurate law making) should be in any degree fulfilled when laws are voted clause by clause in a miscellaneous assembly. The incongruity of such a mode of legislating would strike all minds were it not that our laws are already as to form and construction such a chaos that the confusion and contradiction seem incapable of being made greater by any addition to the mass.

What Mill would have thought of the utter confusion of the statute laws of American states can only be conjectured.

We Americans have made a huge joke of the expression that "ignorance of the law excuses no one" when we have allowed our laws to be in such a state of confusion that no one of ordinary discretion would assume to say what the law is on important subjects. An expert corps of draftsmen consisting of men of the highest legal attainments is a necessity which ought to strike intelligent minds forcibly. Why legislatures have failed to create agencies of this character is one of the mysteries unsolved. The best guess on the matter is that they have feared that it might take away the precious privilege of tinkering with the laws themselves. They have assumed that drafting is their function whereas it is not and could not be the function of a miscellaneous assembly. Only the highest grade of legal service should be employed if we are to redeem our laws from their present chaotic state.

Not less important than the drafting of bills is the matter of expert revision. Laws drafted with the greatest care and left to the tender mercies of succeeding legislatures are soon an intolerable mass of conflicting provisions. The drafting bureau ought, therefore, to become a revision commission which shall take up the laws subject by subject and after revising them into a state of consistency should be an adjunct of the legislature to which all future amendments must be referred in order that thereafter the law may be kept consistent. The scheme proposed by Mill for Parliament whereby a special commission was to be created to which should be referred every bill in order to make sure of its form and substance, would fit into the machinery of our state governments with great benefit. Under that scheme, the legislature would approve the principle of a bill and refer it to the commission with instructions to draft. The legislature would have no authority to change such a bill but would refer it back to the commission for any changes which were desired. How to get such a commission under the present extreme partisanship in American legislatures, is the practical problem confronting the states. Such a commission would necessarily be non-partisan. Ordinary lawyers would be of small value to do the work. Narrow technicians in the law would be fatal to the commission. Broad-minded lawyers who are not tied to formalism and who are thorough students of economic and social progress would be the ideal draftsmen. Such positions ought to rank in dignity with the judges of the supreme court.

The drafting departments of legislative reference bureaus may readily develop into this ideal. At present they are sometimes handicapped by unjust suspicions on the part of some legislators who seem to think they are usurping legislative functions.

*Other Reforms.* With the changes herein suggested some additional reforms must be effected or else the machinery will break down as the existing machinery has broken down. In the first place, time is the essence of careful legislation. Important laws hurried through the legislature in the closing days of a limited session are bound to be filled with defects and fraud. The time limits of legislatures must therefore be removed or greatly extended in order that legislatures may meet modern needs in deliberative fashion.

The burden of local and special legislation must also be taken off the backs of legislatures. Today the greater part of the time of legislators is taken up with the consideration of local and special bills. Such legislation cannot be successfully prohibited and ought not to be prohibited. There are many necessary local exceptions to general acts arising out of the differing conditions. We shall probably not successfully solve this problem until the restrictions placed in the constitutions upon local and special legislation are entirely removed and two conditions set up to relieve the situation—first, greater home rule for cities and counties; second, a local government board with power to make provisional orders subject to ratification by the legislature.

Since legislation is so intimately connected with administration, there must be established some direct connection whereby administrative experience may guide the legislatures in enacting laws which are to be administered or executed by administrative officials. Already there are movements to put the preparation of the budget estimates upon executive officials leaving the legislature free to reject but not increase. A responsible financial program is thereby worked out. Legislative draftsmen will necessarily be familiar with administration and an effective drafting bureau would eliminate many of the faults found at present. However, it will be necessary to make some more vital connection between the administrative division of the government and the legislative division in order to get responsive interaction between law making and law enforcement.

But above all and growing out of all of these considerations we need to recognize that the most important thing in making legislators law makers is to clearly establish the proper function of the legislative body and leave it to perform its legitimate functions. At present legislatures attempt too much. They try to do things which they cannot do well. They attempt too much detailed regulation and burden themselves with work which could be better done by properly chosen subordinate experts. Legislatures ought to be the controlling body and not attempt administration. Confined to this function, a legislature responsible to the people will lift itself out of the confusion and reestablish itself in the confidence of the people.



## TAKING JUDGES OUT OF POLITICS

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Over a large portion of this country the belief is prevalent that judges, in order to serve the public faithfully, must be chosen by popular vote and hold office for a comparatively brief term. This belief conforms to doctrine which has enjoyed overwhelming popularity in this country; it also conforms to the practical wishes of numerous lawyers who are ambitious to wear the ermine. The offspring of an era of dogmatic optimism, it is fitting that this easy doctrine should now be challenged by a principle which reflects the disillusion and skepticism of the present time.

The new principle denies the ability of the electorate to make wise selection for a highly technical branch of work. There can be no dispute of the claim that the work of the judge is exceedingly technical. The electorate broadly cannot correctly appraise the relative ability of lawyers, and much less can it estimate with accuracy the fitness of members of the bar to hold judicial office.

The conflict between the old doctrine, so firmly entrenched, and the new principle—new at least as a working proposition in American politics—is only now beginning. It will be interesting to observe the progress of this conflict.

There is no settled world practice with respect to the selection of judges, but appointment in some form is nearly universal. England learned long before our Revolution that judges must not be subject to removal at the pleasure of the appointing power. The difficulty was overcome by guaranteeing life tenure subject only to impeachment and trial for malfeasance. Under this condition the English bench has gradually become the tractable servant of democracy. Even in appointment, democratic forces control but without any sacrifice of the principle of expertness in selection. If any person be disposed to dispute the statement that the English bench is essentially democratic, let him consider the extreme caution observed by that bench not to usurp legislative functions; its will is always subjugated to the will of the people's Parliament.

In England the bench is recruited directly from that wing of the legal profession which is devoted solely to the trial of contentious issues. The theory governing this choice is that the experienced barrister, by his familiarity with judicial procedure and his expertness in analyzing issues, is able to decide causes more speedily and more correctly than any other type of lawyer. In that country the dissatisfaction with the present situation is directed to the alleged fact that the barrister-judge tends to exalt the principle of contentiousness, thus contributing to the high cost of litigation.

A certain equilibrium was reached long ago in Germany along quite different lines. The theory there has been that the work of the judge is so peculiar as to warrant special training. German judges are not taken from the ranks of successful lawyers; they are trained from youth for the bench, and are advanced step by step from the less responsible judicial positions to the highest. Such undercurrent of dissatisfaction as there exists is directed to the fact that judicial training of this sort produces a bench out of touch with the ordinary affairs of life, that it tends to exalt the academic at the expense of the practical.

In the formative period of American institutions there was present a dominant intention to escape historic evils of the judiciary. Because an English bench had proved at an earlier time to be subservient to royalty there was a disposition to view all judges in a skeptical light. In fact a considerable element of American political principle consisted of fortifying society against evils which had existed at some previous time in the parent state.

The first fifty years of the national life were years in which expertness was at a discount, especially in the newer communities. It is not hard to understand the change in all the newer states, and in some of the older ones, to an elective judiciary and short tenure.

Nor is it so difficult to appreciate the fact that for a long time the defects of the new dispensation were obscured. Ours was a rough and ready society and an elected judiciary seemed sympathetic with the aims of that society. Class divisions came later. The corruption of party, invisible government, and bi-partisanship, all came later.

Analysis of conditions in states which elect judges points to two seemingly divergent facts, both of which must be kept in mind.

We must realize that there have been a great many capable and

successful elected judges, enough in most jurisdictions to conceal in large measure the second fact, which is that the elected judiciary has, broadly, fallen short of a standard of reasonable efficiency. These conclusions are not inconsistent. A judicial system is, in a sense, no stronger than its weakest link.

While recognizing the fact that many elected judges have been satisfactory, and a few ideally qualified to judge, it must be added that the really competent judge has been the exception rather than the type. Nor is it difficult to account for numerous exceptions under this head. Even with a hit-and-miss method of selection it would be miraculous if some talent were not secured for the bench. A mere choice by lot would inevitably score some hits. The tremendous steadying effect of the judicial position must also receive considerable credit. We must remember that the beginner on the bench, if at all qualified, is in an ideal position to be educated.

No article of ordinary length could contain a full defense of the claim that the elective bench is on the whole unrepresentative of the highest talent of the legal profession. An observer may say that he knows this to be true of his own knowledge, just as he knows that there are occasional excellent judges who are elected term after term. The general public dissatisfaction with elected judges is evidenced by frequent dismissals; it is evidenced also by the origin and spread of the judicial recall doctrine; it is evidenced finally by numerous attempts to bolster up the system by improved methods of nominating and balloting. A most convincing arraignment of elected judges as a class will be found in the preface to the recent supplement to Wigmore's *Evidence*.

Just as the people broadly lack acquaintance with the qualities which make for judicial strength so do they lack precise knowledge of the shortcomings of their servants in a field so involved and technical. They have not been aware that their bitter struggle during the last two decades to socialize their law has been against elected judges. This has been compactly set forth in the notable report of the special committee on "Reform in the Administration of Justice" of the National Economic League, as follows:

The constructive work in American law, the adaptation of English case law and English statutes to the needs of a new country and the shaping of them into an American common law, was done by appointed judges while most of the technicality of procedure, mechanical jurisprudence and narrow adherence to eight-

eenth-century absolute ideas of which the public now complains is the work of elected judges. The illiberal decisions of the last quarter of the nineteenth century to which objection is made today were almost wholly the work of popularly elected judges with short tenure. Moreover, where today we have appointive courts these courts in conservative communities have been liberal in questions of constitutional law where elective judges, holding for short terms, have been strict and reactionary. For illustration one may compare the decisions of the Supreme Court of the United States and of the Supreme Judicial court of Massachusetts on the subject of liberty of contract with those of the supreme courts of Illinois and Missouri. Also one may compare the decisions of the highest courts of Massachusetts and of New Jersey on the subject of workmen's compensation legislation with the pronouncement of the Court of Appeals of New York. So in procedure, the judicial application of the Massachusetts practice act should be compared with the fate of the New York Code of Civil Procedure of 1848. The later New York code attempted the impossible in the way of detail. But it would have been quite as easy to make technicality of procedure an end in Massachusetts as in New York. A liberal application of the New York code of 1848 by strong judges, resisting the attempt of counsel to use the code in the game of litigation, might have achieved a modern procedure half a century ago. Under our systems of making law through judicial empiricism almost everything turns on the strength, capacity and learning of the judge. We require much more of a judge than popularity or honest mediocrity or ignorant zeal for the public welfare can bring about.

The earlier elected judges found their work easier because the law had not yet entered upon its period of class stress. The typical American community of forty or fifty years ago was rural in character and the citizenship was comparatively homogeneous in aims and ideals. The divisions between capital and labor were yet to be. The stress due to the bending of an ancient individualistic philosophy of law to modern social needs was undreamt of.

These things came in the fullness of time. There is reason to believe that a more cultured type of judge would have understood this conflict better. It is plausible to hold that a more independent tenure would have permitted the judge to move gracefully from the old dispensation to the new for that very event is observable in states having life tenure and in the Federal Supreme Court.

The notorious deprivation of judicial power through minutely regulated statutory procedure, which resulted in making the trial judge little more than a passive moderator of a contentious proceeding, came after the "democratization" of the bench. This stripping the judiciary of the least powers for self-government has been a potent though subtle force to undermine the bench and pre-

vent a healthy, concerted and constructive movement for rendering justice efficiently.

The spread of the elective principle, if it did not directly encourage, at least did not interfere with the development of political supremacy in the supreme courts of the land. This has been due directly to the irresponsibility of legislatures and indirectly to the limitation of legislative powers in the later state constitutions. In typical states the supreme court virtually constitutes a third house with a fairly effective veto over legislation, but without power to shape and direct the evolution of judicial procedure. It would be difficult to imagine a more genuine departure from the theory of separation of powers.

There has been also, coincident with that development of classes which destroyed civic homogeneity, the growth of vast cities with the inevitable lowering of the average intelligence of the voter, and his reduction to the level of a pawn in the hands of party organizations. In these great cities litigation has been concentrated and an almost total absence of judicial organization and system has prevailed.

Observation of a broad field reveals the fact that judicial success is in inverse ratio to the massing of population and industry. Various expedients to improve the quality of the bench have been tried and projected. These fall roughly into two classes. One class comprises extra-legal expedients intended to bolster up an inefficient form of judicial selection. In the more enlightened communities there has been more or less success in departing from the spirit of the elective doctrine while retaining the form. These attempts constitute virtually an attempt to substitute a *de facto* method of appointment. The voters instinctively delegate their powers of selection to a more or less expert class. This phase of the subject is interestingly discussed in an article on "Methods of Selecting and Retiring Judges in a Metropolitan District" in the March, 1914, number of *The Annals*.

It is shown that the conservative citizenship of Wisconsin has achieved a measure of success by tacitly permitting the leaders of the bar to control nominations. The result has been on the whole better than in many states which could be named but it is not entitled to implicit faith. Being an extra-legal method, dependent upon continuity of tradition, it involves reflection of the sitting



judge regardless of his qualifications. It is true that Wisconsin has succeeded in this manner in banishing partisanship from the bench, but the reverse fact must be noted that the retention of unpopular judges has resulted in the establishment in about thirty counties of special municipal courts intended to permit suitors to escape the regular court in a majority of causes. The result is a lack of organization, a multiplying of agencies, and an increase of cost which is leading now to a movement for general organic reform. In North Carolina over one hundred special courts have been spawned for similar reasons and conditions there may properly be called chaotic.

In Colorado the organized bar has made a brave attempt to direct voters. A most complex system of bar primaries has been evolved. The outcome is still in doubt. If the result is permanent betterment it will be but another proof that reform of the popular election of judges comes about by a *de facto* abandonment of the principle. It is still an open question whether the attempt will not serve to rive the bar into two or more contending bodies, in which case actual harm will have been done without commensurate benefit, for the voter will be more mystified than before.

The other class of efforts to improve the situation is doctrinaire, in keeping with the idea of universal participation in the selection of judges. It goes upon the theory of curing the defects of democracy by a larger dose of democracy. It attempts in various ways to compel the electorate to assume all the powers of nomination and election and to ponder well the judicial ballot. In this class fall the numerous statutes providing for direct nominations and the less common but rapidly growing laws which result in placing the non-partisan list of judicial candidates in a separate column on the general ballot, or even better, upon a separate judicial ballot.

There has been in the past two years some experience under these forms. An attempt to get a scientific estimate of the results has brought interesting communications to the writer's desk. It is apparent that experience thus far justifies only pessimism. The testimony is conclusive from a number of states which are trying ballot reform that the tendency is to discourage legal expertness among judicial candidates. The judge seeking reelection finds himself without an organization to push his candidacy. He finds himself confronted by rivals who are virtually self-nominated and who do

not shrink from any detail of "running for office" because of modesty or delicacy concerning the traditions of the bench. He must meet these rivals on their own ground, which means a "glad hand" campaign throughout the district or state. He finds that the candidate who devotes all his time to his canvass, who belongs to the largest number of voluntary organizations and secret societies, who is most unblushing in telling of his own goodness of heart and promising faithful service, who is, in short, a "good mixer," has the best chance for winning as surely as the gullible voters outnumber the sophisticated. The sitting judge finds that it is largely a matter of advertisement, involving a disproportionate cost in time and money, and that he is handicapped from the outset through the impossibility of asserting his own best claims to the position. In a community not ideally discreet and sagacious, to put the matter plainly, genuine ability is penalized and demagoguery is put at a premium.

This does not mean that a useful judge is inevitably defeated at the non-partisan primary and election. There are some judges who combine popularity with judicial talent, judges of such fortunate temperament that they can cope with the new problem, but they are not common. It is easy to foresee a general cheapening of the personnel of the bench in the course of three or four terms. Activity out of office will weigh disproportionately in the contest for survival, and judicial position, already lacking in attractiveness because of uncertain tenure and low salaries, will come in time, even more than now, to be beneath the aim of the seriously ambitious lawyer.

It must be admitted that this movement, in so far as it is honestly directed *toward lessening partisanship* among judges, is successful. Partisanship cannot survive the non-partisan ballot. But in few localities has there been any serious defect of this sort. Convention nominated judges have been notably free from this evil, especially in the western states where the reform has been most prevalent. This is due in part to the pitiless publicity under which political decisions are rendered, for they must justify themselves to the existing law, and partly to the inherent decency of our judges in all but a very few jurisdictions.

But if partisanship is killed it is still impossible to say that the new method "takes the judge out of politics," and this is what

was really intended. For the reasons offered the new type of self-nominated and self-elected judge is far more the politician than the judge whom he succeeds. He must at all hazards keep his name before the public, and the methods to which he is often forced to resort are both disgusting and pathetic.

The broad and general faults of our elected judiciary have been due not to partisanship, but to lack of broad culture, to inexpertness in the law, to dependence arising from uncertainty of tenure, to the restraint imposed by thousands of sections of minutely and inconsistently legislated rules, and above all, to a lack of simple business organization. The judges have not constituted a wieldly body able to react to the reasonable public demand for promptness and economy of effort. Specialization has been limited. The judicial body has not been permitted to avail itself of its own best ability. A system created during pioneer conditions has persisted under the formidable stresses of modern urban life and has notoriously lacked leadership and standards of accomplishment.

The widespread attempts to make popular election of judges successful by the two methods described, namely: the adoption of extra-legal measures to bolster up a defective system, and the larger dose of democracy implied by non-partisan ballots, prove that the subject is one of growing interest. The people will not rest until judicial processes are more simple and economical. If they do not accomplish the ultimate reform by steps now attempted, they will experiment further. Nomination by petition and election by handshaking appear to be the last word in attempts to make the old doctrine yield good results. Failure along this line will bring the constructive forces of citizenship directly to the new principle which is fundamental in short ballot reform. The futility of trying to compel voters to do what they are inherently incapable of doing must eventually be accepted. In the typical community of seventy years ago moderate success was attainable because of the comparative simplicity of the voters' duties and the relatively high order of civic ability. The voter of today who corresponds to his intelligent and high-minded grandfather, even if he is not outnumbered, is hopelessly ignorant of the qualifications of judicial candidates if he lives in a typical large city and is called upon to squander his limited political wisdom over a field of fifty or one hundred offices ranging from coroner to president. In one

city the various ballots aggregate one hundred and forty-four offices and judges to the number of seventy are elected at least every six years.

The doctrinaire cure of this evil by a larger dose of democracy is like multiplying ciphers. It has been better expressed as equivalent to holding a chicken's beak to a chalkline. The chicken is forced to concentrate its attention, but a cataleptic condition, not wisdom, is achieved.

The writer believes that the people of the central and western states are far nearer pregnant skepticism of the old doctrine than is generally supposed. In the state of California, a year ago, a first campaign for a better method of selection showed astonishing progress. The fight here was made on the proposal to permit the governor to appoint for the usual term subject to a popular ratification at the polls. In South Dakota leaders at the bar have started an interesting movement away from popular election of judges.

The matter is essentially difficult of discussion. We are all afraid of a doctrine which has so dominated our entire political thought. In most bar association meetings, even, it is difficult to discuss the subject of judicial selection except by beginning where an old-fashioned Fourth of July oration leaves off. Judges themselves are effectually barred from advising freely. Many judges prefer to adhere to a system which they feel they have mastered. Skeptics among them fear to criticize the system lest their words be used against them by jealous rivals. Former judges who have been summarily retired by the voters, however unjustly, have their lips sealed by their sense of good political sportsmanship. The subject is all the time complicated by the fact that we have some excellent judges. Our abounding faith in special providence encourages us always to hope that the next election will mark a revival of civic virtue and wisdom. In this respect we are in the same position respecting judges as were the people of the typical city a few years ago with respect to their aldermen. The hope of turning the rascals out springs eternal. But in scores of these cities the short ballot, as part of a simple, wieldy, responsible form of government, absolving the voter from the need for superhuman intelligence, has led the way out of the doctrinal morass.

No discussion of political reform can ignore the mighty revolution in municipal government, now finding its highest level in the

city manager-commission form of government. The secret of success lies in the fact that a workable delegation of political powers has been discovered.

One of the conditions which most militates against like discoveries respecting judicial office is the fact that it is almost universally assumed, even among graduates of political science courses, that there are but two ways of selecting judges; that we must either elect them for short terms or have them appointed by the Governor for life. We need most emphatically to realize that there are numerous ways of selecting judges. A number of variations on traditional methods are in use in this country. We have appointment for life by the executive, and appointment for a term. In several states the legislature makes the choice. It is conceivable that judges should be selected in a great variety of ways. The best results may be presumed to accompany a method which consists of selection by a thoroughly expert agent who is responsible for the due administration of justice. At the present time such a responsible judicial manager is just coming into being in the person of the executive head of an organized court, of which the municipal court of Chicago, and a number patterned after it, are examples. Such a judicial manager, whether styled chief justice, or president judge, or something else, is made responsible in large measure for the administration of justice within the jurisdiction allotted to his court. These courts constitute the bright spots in our judicial explorations. There is one way to increase the responsibility of the judicial manager and that is by permitting him some measure of freedom in finding the judges who are to man his branch courts.

Such a manager is far more competent to make a selection from among the lawyers practicing in his court than is the governor. His motive for selecting capable judges is higher than can be presumed in any other quarter, for his own success depends upon the personnel of his court.

It is difficult for us to conceive of a power of appointment not coupled with a ball and chain check. But if the proposed method is to realize expectations it must have a check quite unlike the kind we are used to. One of the most plausible proposals is that the chief justice (whose character of judicial manager must not be lost sight of despite the title) should be limited to selections from a public eligible list. This list should contain twice as many names



as there are possible vacancies. Names could be added to it by the judicial council, or governing board of the court, for every modern organized court should have such a judicial council, composed of the heads of the various divisions, of which the chief justice would be the executive officer.

In the chaotic condition of our bar such an eligible list would be like ballast in a cranky ship. At present we have no way to put the seal of authentication upon worthy lawyers. Such an eligible list, twice as large in number as the local bench, would constitute a roll of honor which lawyers would aspire to, and its members would be friends of the court in a very practical way.

We need to rid our minds of the notion that appointment and life tenure are inseparable. There is no reason why appointment should not be for a limited period. If the foregoing plan appears to afford a practical scheme for delegating political power—for curing the ills of democracy by a dose of more intelligent and practical democracy—there is no reason why it should not be instituted with appointment to a limited term, giving the electorate a right to ballot on the appointee at the end of a three-, or four-, or even six-year period of probation. The ballot should be limited to a yes or no vote on the proposition of retaining the incumbent. This would be infinitely more fair to the judge than the present mad scramble for position against the field. At the same time it would permit the electorate, if cause existed, to retire the undesired judge in a sober manner.<sup>1</sup>

Of course one has to admit that under an ideal form of appointment and service in a properly organized and directed court, the possibility of offense justifying retirement would be exceedingly small. And one vote of approval should permit a term of greater length than the probative term, say eight or ten years.

We are not done with experiment by any means. Dissatisfaction was never more widespread. Gradually the pragmatic spirit must overcome blind doctrine. But such glimmer of light as can be descried in the field of judicial selection is faint compared with the rosy glow betokening dawn in the field of judicial organization. In plainer words it now appears probable that before

<sup>1</sup> Bulletin IV A of the American Judicature Society contains these forms for appointment and retirement in legislative language. Copies are mailed free from the society's office, 38 S. Dearborn St., Chicago.

attaining perfection in methods of selection we will solve the problem of making our courts, first in our large cities, where chaos is least endurable, and finally in the states, efficient organizations, capable of employing specialization, responsive to economic demands, self-governing and self-conscious.

This tremendous reformation, lifting our judiciary out of one century into another, is already well started. Its influence is irresistible in spite of entrenched privilege and constitutional obstacles. The progress of reform is likely to be along this line: organization will give us responsible courts which will secure public confidence by earning it; and confidence in the judiciary once re-established it will only be a matter of time and readjustment to arrive at a more friendly attitude toward judicial servants as expressed in methods of selection.

If this prophecy proves true it will be substantially a parallel to the municipal reform already conspicuous. For more than a generation we undertook to clarify city politics by electing "good aldermen." We were always just about to attain this goal, and always short of attainment. Genuine progress came when the people changed the rules of a game which they could not beat. So in the judiciary the problem of selection will be solved, not by securing an electorate a little lower than the angels but by adopting a workable scheme of delegated powers.

Something must be added to avoid a serious inconsistency. It may be objected that since the typical state supreme court has been called virtually a third house there is every reason why the electorate should directly participate in selecting its highest judges. A revolutionary change is not to be expected so early in this field, it must be admitted. The writer believes that supreme courts will in time relinquish much of the political power now exercised. It came about because sovereignty took refuge with the more conservative and responsible power, for whatever criticism may be passed on the courts it must be admitted that they have been less erratic and irresponsible than legislatures. A change will come when legislatures become truly representative and responsible. Apparently this reform depends upon a considerable reduction in numbers and possibly a linking with the executive power to create a working partnership. Such a reorganized legislature, more cautious in operation, adopting scientific expertness in phraseology,

would in time develop self-respect to such a degree that it could cope with the usurpation of the judiciary. There is no doubt that ultimate political power resides in the legislative branch. It has been diffused by incompetence, but only for a time. Signs of change are not wanting. Readjustment, either with or without serious changes in constitutions, is likely to relieve the courts of their odious supervision, permitting them to work out their own salvation, and ultimately justifying the doctrine of separation of powers which we cling to in theory however we have departed from it in practice.

CHILDREN'S CIVIC ACTIVITIES  
NECESSARY FACTOR IN THE NEW CIVILIZATION

BY WILSON L. GILL, LL.B.,  
President, American Patriotic League, Mt. Airy, Philadelphia.

While two-thirds of the world are in a death grapple between monarchy and democracy, our President declares that we, too, against our will, may any instant be drawn into the devastating conflict; he demands that we open our eyes to the fact that we are unprepared to defend our lives, our liberties and our homes, and that with all haste we must do whatever is within our power to save what we can from the calamity of invasion, should this befall us.

We can drill and we can arm—if there are enough arms for the purpose; lasting preparedness, however, goes back of all this. There is a civic weakness that must be eradicated, and strength built in its place. Let us who can see this, do what we can, and when we are fully successful, the United States of the World will guard every country from invasion, and the very object of war and invasion will have vanished.

Early in the last century when tyranny was trembling on its throne, the King of Prussia appealed to the great Baron von Humboldt, who replied "Whatever you want in the state, you must first put into the schools." The King acted on this advice, and every child was taught that he, his property and his life belonged to the King, and that he must drill constantly to make himself efficient to the last degree. Is it not possible for us to *see* as did the great scientist, and to *act* for the defense of our liberties as practically, resolutely, and persistently as the Hohenzollerns have done to extend their dominion? Our lives, our liberties and our possessions may be and are jeopardized and invaded whether a military army lands on our shores or not.

*Two Civic Questions*

Large masses of men in Ohio, Massachusetts and other states, have, within the past few years, been convicted of selling their

votes for money. The great body of college graduates, with many individual exceptions, take no part in local civic affairs. The men who attend local primaries and local elections are chiefly those who left the schools before they reached the seventh grade, where they might get some instruction regarding the history of our country and the duties of citizenship, and consequently have no foundation on which to stand and defend themselves against grogshop or machine politics. Boss-rule in many of our cities and elsewhere is always in power or certain to be restored after a rare and brief interruption, like hazing and cribbing in some of our educational institutions. Our prisons and reformatories are crowded. Special privileges and race and sex distinctions in civic rights, with all their injustice and harm, have not yet been wiped out, after a hundred and forty years of independence of our great republic. The spirit and the form of government in our schools is that of monarchy. Our whole people, while they are forming their habits of thinking and acting, are trained to be irresponsible subjects of a monarchy, in which they have no part except to submit, with no appeal. This is not a mere negative, but a positive, corrupting evil. Democracy in America is not the full and unqualified success that we would be glad to acclaim it. What is the reason for these conditions? And what is the means of improving them?

*The Answer*

The process of growth of the Anglo-Saxon demand for liberty that resulted in the Magna Charta, and in America in our war for independence, came gradually to an end in the United States, following the Revolutionary War, as a result of the general introduction of the steam engine and machinery, which separated men from their families, during the active working hours of the day, and left the children more and more time not used in work with their parents.

Previous to this, ninety-seven to ninety-eight per cent of our people lived under rural conditions, the girls and little boys working with their mothers, and the larger boys with their fathers. In this continual close contact, the children took on their parents' habits, character, knowledge, religion, political creed and both social and civic activities. But this process came to an end, and the children's time has been absorbed by the schools.

Our statesmen and educators did not realize what was happen-



ing to our whole population through the schools. They made the fearful mistake of believing that knowledge is the price of liberty. They lacked the vision of thousands of years ago, that *vigilance* is the price of liberty. They were not sufficiently vigilant themselves, to discover that the ancient monarchical tyranny of school government, fastened on every individual from his babyhood till his schooling came to an end, made of him a subject of a government in which he had no part except to obey an arbitrary master, rather than to be a responsible citizen, learning to make and to enforce obedience to law, and to respect his own and others' rights, and to defend them.

In the schools we train our people in abject subjection to a monarchical government and confirm them in the habits and character of subjects and then expect them at the age of twenty-one to be and to act as free-born, independent citizens of a democracy. This is as outrageously stupid as if we were to scrupulously guard every person lest he should ever get into the water, and then, at the age of twenty-one dump him into the middle of Hudson River and tell him to swim for the shore. Here is the answer to that first question, "What is the reason for the present bad social and civic conditions of our country, and our state of unpreparedness to defend our lives, our liberties, our homes, and our sacred honor?" Does it not answer the question, "What must we do?"

#### *Train for Citizenship*

Any vital, permanent improvement in civilization must rest on an improvement in the habits and character of the whole people.

It is utterly impossible to reform the habits of a great body of adults. But now that the public school system is rapidly developing throughout the world, it is entirely practicable to enable the children, from the very beginning, to form those habits of citizenship upon which depend the internal and international peace and welfare of the family of nations.

This work among the children cannot, however, be accomplished by the old-fashioned academic method. It must be by action, not by committing information to memory to pass examinations. The laboratory method must replace the academic, and the part of the teacher must be to point the way to action, rather than grill the child and stuff its memory. Democratic government

under instruction, must replace the monarchical school government. This does not mean that the teacher's responsibility and authority to maintain order and attention to the work of the school are in the slightest curtailed. However, the teacher's skill and tact will be exhibited by the extent to which the children's democracy succeeds in making an exhibition of the teacher's authority unnecessary.

It is a simple matter to conduct a school as a republic, training the pupils to solve the problems of their daily life and conduct, always guided by the Golden Rule, as they do the problems of arithmetic, guided by the correct rules of mathematics. The children like the responsibility, and it is pleasant for the teacher.

#### *The School Republic*

The children of a school-room are made citizens of a republic, which may have the form of a village, town, county, city or other political unit. This little republic is given legislative, executive and judicial powers, all under instruction of the teacher, whose sanction is needed to validate the children's work. This does not in the slightest interfere with right action by the pupils, except that in some cases the teacher's judgment may be incorrect—this risk, which is not serious, we must take. The children legislate in relation to their own conduct, elect officers at short intervals to enforce their laws, and others to adjudicate difficulties. The plan is elastic, so that there are no two schools that make the application in exactly the same way. It may be exceedingly simple, with only three officers, or more developed, according to circumstances. Several school-room republics may be joined in a school state, several states in a national government, and several of these in an international government.

The pedagogical, moral and civic results of the school republic are excellent. The United States government has tested it on a large scale, and with most satisfactory results, in Cuba and elsewhere. After several years' test of it in Alaska, the United States Bureau of Education made it a necessary part of the curriculum of the government schools in Alaska, these being the only schools under the direct authority of this bureau.

The following testimony is conclusive as to the social and polit-

ical importance of this form of democracy as an educational force in the schools:

In 1913 Major General Leonard Wood wrote the following concerning his experience with the school republic in Cuba:

The results were most satisfactory; indeed they were so satisfactory that I unhesitatingly commend the idea as worthy of the most serious consideration. The results were far-reaching and valuable, and are fully set forth in my various reports as military governor of Cuba and the reports of the officials at the head of the public school system of the island.

This system would, I believe, be especially valuable in all schools, and would result in our children being much better equipped for the discharge of their civic responsibilities.

April 15, 1914, General Wood wrote the chief of the Bureau of Insular Affairs:

I am confident it is a system well worth trying out in our insular possessions, teaching as it does discipline and being founded on a habitual submission to the majority, a mental condition which is absolutely essential to the establishment of any form of self-government.

On the same day (April 15) General Wood said to a group of officers of the General Staff:

If Mexico had had the school republic in all her schools for ten years, as we have had it for two years in Cuba, the present troubles would never have arisen.

Judge Ben B. Lindsey, than whom there is no higher authority in such matters, says:

I am one of those in a peculiar position to appreciate the value of the school republic. When this idea is properly presented and applied it at once becomes a wonderful contribution to good citizenship. I do not know a better wish that I could make for our children than to wish A New Citizenship the widest possible circulation.

Walter C. Shields, superintendent for the Department of the Interior of the northwest district of Alaska, wrote at Nome, October 27, 1913:

This winter I expect to see the school republic in operation in all the schools in the district. I wish you could see how splendidly it is adapted to our needs here.

The following is an extract from the official report received by the United States Commissioner of Education November 30, 1914, from Wainwright, on the Arctic coast of Alaska:

The school republic has done wonders for these scholars. They grew by leaps and bounds in self-confidence and overcame their false timidity and fear of being heard. Every Friday afternoon meeting was an improvement on the preceding one, until they would conduct their meetings in parliamentary order without my assistance. They made and executed their own laws, elected their own officers for a period of one month, salaried and paid them weekly. At first they had to be told every move to make and were afraid to speak in an audible tone, but by patient effort such difficulties were overcome.

I append the following rules and penalties, officers and their duties, etc., which will give you a general idea of our working basis. These could be profitably commented upon. Now, this, simple as it may seem, has accomplished wonders in this school this year in many ways. Industry, cleanliness, economy, good deportment, self-reliance, punctuality, neatness, obedience, appreciation, honesty, truthfulness, kindness, and kindred admirable traits have come to the front. In fact, it has straightened matters out in general. We don't see how we could well have gotten along without it.

In the commissioner's report on Alaska (Dec., 1914), appears, on page 36, the following:

District Superintendent W. C. Shields sent a pamphlet on self-government, by Wilson L. Gill, and said: "Adopt this for use and report your success." It was adopted. . . . Self-government had to be employed as a detail in school management. . . . The duties which the citizens were elected to perform were sufficiently numerous for each citizen to have a duty. . . . It was amusing to see a stubby little 12-year-old police officer bring to school a man-grown truant. The schoolroom was kept open from 9 a. m. till 8 p. m. every day; when school was not in session the schoolroom served as a sort of club-room. One or more of the police officers was always present, and the room was always orderly. Citizens might read, write, sew, play games, or do whatever they liked, but they must never be idle.

The school republic seems to be the problem of school management solving itself. It increases school efficiency, adds enthusiasm, and answers the teacher's question, How shall I do without an assistant?

On page 38 of same report another teacher writes:

The innovation was of material assistance to the teacher.

Another teacher reports, on page 47:

The children like this new organization very much, indeed.

Louis P. Nash, head master of a Boston school district, made the following statement, after thirteen years' use of this method:

My experience and observation of the school republic is that it is altogether useful and not at all harmful. Its intellectual advantages are many. Its moral advantages are more considerable.

David Snedden, Massachusetts commissioner of education, has written:

The miniature school community becomes a miniature state, and the children learn to appreciate self-made laws and to contribute to their enforcement. I am profoundly convinced of the rightness of these ideas, and of the fact that they are in line with the best sociological thinking of our time.

Every teacher ought to be encouraged to use the civic laboratory method. It should be clearly understood that training for citizenship is not simply a matter of educational detail—rather a matter of public policy, of nation-building.<sup>1</sup>

Preparedness has to do with the spirit of a people, not merely with arms and munitions. And when training for true democratic citizenship becomes part of the public policy of all countries, we may look for the old order to change. The advice is still good: whatever you want in the state you must first put in the schools.

#### *Children's International State*

The Children's International State, based on the practice of the Golden Rule, in all social, commercial, civic and international affairs is already in course of organizing. Those coöperating in this movement, are the Minister of Education and the Imperial Inspector of Schools of Japan; the Ambassador to the United States, the National Inspector of High Schools and other school men of Argentina; special Commissioners of Education from Sweden and from a central European government which we are not authorized to name; and a group of men and women in the United States, with good prospects in several other countries.

#### *Citizens' Pledge of the Children's International State*

We, the New Citizens, Builders of the World of Tomorrow, wish to have our world at peace. We wish for all people, health, happiness and intelligence; good manners, good morals and good fortune. We join hands from land to land and promise to do our best to serve the world, each in our own village, town, or city, each in our own dear country, and all together in the Children's International State.

<sup>1</sup>Literature on this subject may be had from The American Patriotic League, Mt. Airy, Philadelphia.



## PROMOTING AMERICANIZATION

BY HELEN VARICK BOSWELL,

Chairman of Education, General Federation of Women's Clubs.

Women throughout the country have wakened up to the fact that, however we may feel as to the degree of coast defences and standing armies needed, we should recognize that quite as important as forts and submarines is our national attitude of mind. Quite as important as the standing army is that we have *one nation* instead of *many peoples*.

We have begun to realize that peoples living side by side do not necessarily constitute the nation, and that the factory and mine are not the only or necessarily the best medium for making citizens. It is being borne in upon our minds that in the efficient and harmonious union of many peoples in a common defense of any one nation there are at least three prime essentials: a common language with a minimum amount of illiteracy; a common citizenship, including similar ideals, beliefs, standards and customs, and symbolized by the oath of allegiance to America; and a high standard of living, which, in a democratic country, tends to diminish disaffection and disloyalty at critical times and at strategic points.

The organized women of the country seem to be looked to for the forwarding of what we might call the new citizenship movement; aiding that movement, we find the middle ground upon which members of defense organizations and members of peace leagues can whole-heartedly agree—the need of raising the standards of American citizenship.

There are in the country 5,439,801 foreign-born women of 15 years or over. When they arrive with their families, the husband goes to work and almost immediately establishes contacts which give him a view of America. His mind opens, he begins to master his American environments. The children are put in a public school—they form friendships with American-born children, they learn American ways and soon they are the arbiters in all family matters to be decided according to American standards. They, instead of the parents, become the custodians and sources of author-

ity, and family discipline breaks down. The mother is the slave of all work; she forms the dull old-world background of her American family—who often become ashamed of it and of her. She does not learn English: she gets the left-overs of America from her progressive family; she does not become Americanized; she does not absorb new ideals and ideas; she learns little about American foods and about ways for caring for her children in the new and very different climate. It is not unusual after fifteen years in this country to find English spoken by every member of the family but mother, and American clothes worn by all but mother. Even this superficial distinction closes many doors to her. Her grown-up daughter in a highly Americanized hat does not want to go shopping with her mother who still wears a black shawl over her head. It is not that the mother looks so ugly, but that the clinging to the old black shawl typifies to the daughter her mother's whole lack of understanding of the new world and the new ideas in which the daughter is living. The mother, far from being an aid in Americanizing her family, becomes a reactionary force. Sadly or obstinately as it may be, but always ignorantly, she combats every bit of Americanism that her husband and children try to force into the Southern European home. Yet when the husband passes tests entitling him to citizenship she becomes a full-fledged citizen also, as do her children—all prepared but the mother.

The United States Bureau of Education, the National Americanization Committee, the Bureau of Naturalization and other organizations interested in the immigrant—in the elimination of illiteracy and in the conversion of the immigrant into the fairly educated citizen—turn to the club women of the country for practical help.

What good those club women can do in the way of definite work to promote this real Americanization, especially among the immigrant women, can be placed somewhat in this wise: Find out how many immigrant women there are in the community. Do they speak English? Do their husbands? Are their husbands naturalized? Is the home a Southern European or an American home? Is the family American in its loyalty? Does it know enough of America to be loyal to it? Undoubtedly the children speak English; but what is the real nature of their Americanism? Did they learn it chiefly at school and at home—or on the corner and in the

pool room? Reach the immigrant woman. It is the only way to produce American homes. See that she learns English. Through it she gets her first American contacts. But immigrant women can rarely attend night school. Organize for them, as has been done in a number of places, classes from two to three in the afternoon.

Just as immigrant men are taught English successfully only when the instruction deals with the subject matter of their daily life and work, so the method of teaching English to women can best be associated with methods of housekeeping, cooking, sewing, etc. Moreover, many American standards and customs can be brought to the immigrant woman in this way. She can really be initiated into Americanism and the language at once.

Especially at first it will be very difficult to get immigrant women to attend classes in the public schools—and so at first, and perhaps later also,—there must be friendly visitors and teachers, “domestic educators” as they have been called, to carry the English language and American ways of caring for babies, ventilating the house, preparing American vegetables, instead of the inevitable cabbage, right into the new homes. The state of California has through its department of public education provided for these friendly visitors. Until other places with heavy immigrant population act with similar enlightenment, may not women’s clubs step in and blaze the trail for a public education policy? Can they not pay domestic educators, or meet local boards of education half way in so doing? They can organize mothers’ classes, cooking classes, sewing classes, classes for entertainment. Remember that immigrant women, if of different races, often know one another even less than they know Americans.

Make immigrant women good citizens. Help them make the homes they care for into American homes. Give their children American ideals at home, as well as in school. Make American standards of living prevail *throughout* the community, not merely in the “American sections.” Above all show the rest of the community that this work of Americanizing immigrant mothers and immigrant homes is in the highest sense a work of citizenship, a part of a *national* patriotic ideal.

The relationship of Americanizing the foreign-born women in their homes to all the aspects of the development of our industries

is tremendous, and will become more and more clear to us as being the work to which we should set our hands. American industry, of course, has made the population of this country what it is today—some one hundred million people drawn from many countries, about one sixth of them born in foreign lands.

The sign language in factories, the foreign language and the padrone in the labor camps, villages and colonies scattered throughout cities; several million non-citizens and non-voters living and working under laws in the making of which they have no voice, of which they have little knowledge, and for which they sometimes have little respect; thousands of naturalized voters, but with no real American contact or American understanding, marshalled and voted in companies by American bosses—all these conditions, now prevalent and typifying our failure to assimilate our immigrant population, are not chargeable to industry.

*But industry is the force in American life which has the remedy chiefly in its control. And only the organized assistance of industry can make it possible for this country within any reasonable time to unify the present heterogeneous factors in our national life, and substitute for a babel of tongues the English language; substitute for a half-dead loyalty to the familiar old country—and a half-alive loyalty to the unknown new one—an understanding and unequivocal American citizenship; for old country homes in American cities and mill and mining towns, American homes with American standards of living; for the vague mixture of memories and aspirations that characterizes these men without a country, a vivid and alert American patriotism.*

In the work of Americanization, so long neglected, now so urgent, industry has the strategic position. Many functions of government and society are concerned with Americanization—and are perhaps primarily responsible for it, such as our public schools, our employment systems, our courts, our social protective organizations. But most of these have no direct or influential or authoritative approach to the immigrant, unless he becomes a public charge. The employer has. The gist of the whole situation lies in this. And it is to the employer that the nation now turns for immediate aid and coöperation in the gravest task that the country has faced since 1861—the necessity of reinforcing our national unity, of making our many peoples one nation, marked from coast to coast by a

common language, a common acceptance of industrial standards, a common understanding of the rights and obligations of American citizenship.

But this fact remains: the Americanization of our foreign-born workmen, even so far as teaching English, merely, is concerned, is too vast a project for the individual industry. Industries vary in wealth, equipment, stability of labor, hours, and in a dozen other ways. Teaching the English language and citizenship to immigrant workmen is a *legitimate part of public policy*. It belongs to the public schools and the courts of every community, aided by every civic force. The greatest service the industries of any community can render to themselves, to the social destiny of their community, and to the cause of our national solidarity is to back their organized support solidly up against the public school system in its task of making English-speaking residents and citizens of every family in the community. Americanization is a civic matter. The need of it now is a national crisis.

The swiftest hope of Americanization lies in the active practical coöperation of employers, the public schools, the courts, and bodies of patriotic citizens. In this work of preparedness it will often be left to industries to take the initiative. It is their privilege to do so.

It is the privilege and it is the duty of club women to give their time, their powers of instruction and their enthusiasm to the work of getting our language and understanding of the principles of our common life into the hearts and minds of the foreign-born women. Once start these foreign women in the paths of learning and your task is not difficult; they believe in you, and after a little while will break away from their hide-bound traditions and will become plastic for your moulding.

It is always touching to attend a class of foreign-born women with wistful faces and childlike faith in the instructors, trying, oh, so intently, to follow the sounds of the letters and words, and to trace those letters and words from the blackboard. The progress made by hard-working housemothers, who slip away from their many duties for a half hour or hour in the afternoon on certain days of the week, to take advantage of the opportunities offered by school or other social center is simply marvelous. The reading aloud by them of the word or of the simple sentence, the struggle to get just the right inflection, the giving of themselves to this great



effort, is a tremendous thing to see. It is courage personified—it is the keen desire to keep up with their children, to know for themselves the things they are living in the midst of, to get to a point of writing and speaking a common language. And you never fail to see all this in any little class of foreign-born adult women.

Well circumstanced men and women of any community, to help in this development of citizenship is not an isolated piece of welfare work directed toward the alien group by the more fortunate of the community, but the sharing of rights and traditions and principles by Americans with Americans.

## TAXATION AFTER THE WAR

BY SIMON N. PATTEN,

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Few realize the changes in taxation that will be wrought by the war. Up to the present time no one of the warring nations has increased its taxation in such a manner as would permit their new obligations to be met. Each has piled up a huge debt, and all assume, or perhaps it is better to say, hope to be victorious, and that an indemnity will be obtained from their foes freeing them from taxation.

For the student it is not so much the question of who shall pay as it is the amount to be paid. The importance of this is increased by the fact that it is unlikely a decisive victory will be won by either party, or at least such a one as would allow them to demand huge indemnities from their opponents. Let us assume that the war continues for three years, and on that basis measure the burden that will be imposed upon the various European nations. It is generally assumed that at the end of eighteen months the total burden of the war had been \$40,000,000,000. This, however, does not include the guarantees the various nations have made, nor the losses in property in Belgium, Poland, Servia, and other devastated regions. If all these are included at the end of the third year the cost of the war will be over a hundred billion dollars, which may be roughly divided as follows: England, 40 billion, France, 15 billion, Germany, 25 billion, and 5 billion to restore the devastated regions. This would leave 15 billion to be borne by Austria, Italy, or Russia. An important journalist recently said that such an amount could not be paid, but that the debt would be transformed into rentes of the character the French now use. Every creditor then would have a right to his interest, but have no right to the collection of the principal. Should this be done, the hundred billion dollars of indebtedness would at the present rate of interest demand an annual levy of 5 billion dollars a year. If the present amount of taxation that the people in the various countries in Europe pay is added to this, it will demand a quarter of the income of the people. What method of taxation could raise this vast amount?

Up to the present time only one theory of taxation has been proposed that has a rational basis. This theory is called the "single tax," and its most noted advocate was Henry George. The supposition on which it is based is that the income from land is a differential due to differences in the fertility of the soil; the revenue from land is therefore a surplus revenue, or as it is often called, an unearned income. The single tax proposes to appropriate this surplus income and thus meet the burden of taxation. Under the old conditions of taxation this might have been done, but when an attempt is made to raise 5 billion dollars a year from this one source the tax would prove insufficient. We must therefore revise the theory of taxation so as to obtain increasing revenue. The doctrine of surplus income from land is correct, and in this respect the theories of Henry George are unassailable; but George assumed as a part of his theory that men are born equal, and that income other than from land is distributed according to the ability and earning power of men. This, however, is not a fact. The equality of men is a political dogma and not an economic tendency. The differences in the productive power of men due to their heredity or social position give to certain individuals the same kind of an advantage over others that the owner of a corner lot in the center of a city has over one in the suburbs. If the income from a corner lot is a surplus and can therefore be described as unearned, the income of a man of better heredity, education or opportunity must also be regarded as a surplus income and therefore unearned. For the cause of the difference in men we should turn from economics to biology in which the laws of inheritance rest—the so-called Mendel law. The assumption of this law is that in the average family of four children one will be superior, two will be mediocre, and the fourth sub-normal. Then in the average family we would have one superman, two commonplace individuals, and one defective. The situation is worse than this because a large part of the population are for other reasons defective, or have come from foreign countries, and thus cannot take advantage of the opportunities that America affords. It is a modest statement to say that a third of our population belongs to this inferior class, and, if so, the proportion of the various classes would be one superman, two mediocre, and three sub-normal. The superman has an income, say, of \$3,000 a year; the two mediocre people an income of \$900 each; while

the three sub-normal people have \$400 each. This would mean that in an average community one person in six would have half of the income that the whole six have.

These differences are probably an understatement since investigators assume a different rate of increase for the different classes. The superior classes do not have more than two children to a family. The mediocre may be assumed to have three children to a family, and the inferior groups at least four children to a family. With these different rates of increase taken into consideration we would have our ratios of income changed from 1:2:4 to 1:3:8, which would make the superior class only one twelfth of the community, with more than half its total income.

In addition to these differences in heredity we also have marked differences due to ancestral conditions, since a great part of private property is inherited by a relatively small class. Adding together the geographical, the industrial, the ancestral advantages, the net result would be that one-tenth of the people have at least one-half of the national income, and the other nine-tenths less than the other half. This is a moderate estimate; the difference is often put much greater. It is claimed that 2 per cent of the population have half of the national income. Even at best these conditions are bad enough and illustrate the need of new methods of taxing surplus income.

The urgency of tax reform is not so great in America as in Europe, and yet the conditions are the same. The limits to old forms of taxation have been reached, and a large increase of revenue is demanded by city, state and nation. On top of these is the demand for large expenditures for national defense which a new group of alarmists has raised. The figures I give are therefore based on American conditions of which the facts are at hand. To apply them to Europe after the war demands that each figure be doubled, while the resources from which the taxes are to come are not half as great per man.

The amount of property in the United States is estimated by government officials to be 200 billion dollars. If this be correct, about 80 billion of this is surplus value—that is, a value that has no corresponding material wealth on which it is based. It is merely capitalized income due to some controlled advantage. Forty billion would represent land values; another 40 billion, the fixed capi-

tal; while a third 40 billion would represent circulating capital. These are rough estimates, but they probably come close to actual facts. The gross income of the nation is about 20 billion dollars. Ten billion of this comes from property which is a return at 5 per cent on 200 billion dollars; 5 billion would form the income of the superior class, while a second 5 billion would represent the real wage of the workers. The basis of this final assertion is that we have 100 million population. Of this, however, 10 million are either unemployed or partly employed. There are 8 million dependents; 2 million belong to the leisure class. This would leave 16 million working families and give them a minimum income of 300 dollars per family.

On this basis our annual income of 20 billion dollars would be divided as follows: Two billion dollars would go as ground rent, 3 billion to those who inherit wealth, 5 billion to the marginal laborers, while 10 billion, or half of the total national income, would go as a reward for opportunity and talent. It should be noticed that this method of division does not separate workmen from employers or the leisure class, but separates the earned minimum of \$300 from the surplus income which opportunity, advantage or inheritance gives to superior persons. If, for example, a trade union keeps its rate of wages at \$800 a year, \$300 for each person is credited to the minimum standard, the total of which is 5 billion dollars, and the other \$500 per man is credited to surplus income. The advantage of a trade unionist is not so great as that of a great author or inventor, but it is of the same class and should be regarded as part of the same fund.

If these are the facts, the basis of taxation should not be a single tax on land, but a *triple tax* on income, inheritance and land. Income from any of these sources is unearned income, as this term is defined, and is therefore a legitimate object of taxation. The revenue derived from these sources stands in the ratio of \$5 from income to \$3 from land and \$2 from inheritance. If the tariff is retained the proportion would be \$3 each from income and tariff to \$1 each from land and inheritance.

My conclusion is that the single tax would fail if it were used as a basis of taxation after the war. Surplus income is, however, just as legitimate a basis of taxation. From it the necessary increase of taxation can be derived without trenching on the standards of



the marginal workers. So large a sum, however, cannot be raised through schemes that would tax only the rich. The minimum would have to be as low as \$2,000 a year. Taxes on large incomes look attractive, but they do not yield large sums.

If the people of the United States desire to spend vast sums for national defense, or for any similar purpose, the real burden must be borne by families with incomes from \$1,500 to \$5,000 a year. And the tax must be largely in the form of an income tax. The tariff may be altered, but the sum it would yield cannot be greatly increased. The comforts of the great middle class will have to be foregone to meet the increased national expenditure. Whether or no the average family will make this sacrifice will be the final test of the movement now brewing to prepare for war instead of genial prosperity. Until the tax gatherer reaps his harvest we know little of what the American people will do, and still less of how the already hard-pressed nations of Europe will react when they become conscious of the great burden the war has imposed. There is a fascination about spending that few can resist, especially when they are spending other people's money. It seems a sad fate if all the material advantage of the nineteenth century is to go into the hand of the bond-owner and his heirs.

## TRAINING FOR EFFICIENT PUBLIC SERVICE

BY CHARLES A. BEARD,

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Those who have had occasion to follow the trend of opinion among university authorities of this country are well aware that the matter of training for public service is receiving some of the serious consideration which it deserves.<sup>1</sup> Even the great war in Europe, which overshadows everything else, has served to increase rather than diminish the interest in this subject, for it is patent to all thoughtful observers that the supreme public question of the hour is whether democracy and efficiency are inherently irreconcilable.<sup>2</sup> Everywhere, serious students of government are asking themselves whether it is possible to have thorough-going democratic control over the government and at the same time secure the efficient fulfillment of the great tasks which modern social and industrial conditions have imposed upon the state.

### *The Reconciliation of Liberty and Efficiency*

On viewing the remarkable achievements of Germany in the land campaigns, even the most grudging cannot withhold their admiration for the effectiveness and scientific precision with which her gigantic military enterprises are carried out. There is no doubt that the wonderful showing made by that country has been due to something more than the valor and skill of the soldiers on the battle field. The military authorities would have been impotent if it had not been for the masterful way in which the civil administration of the country has been conducted. If Germany had back of the firing line the kind of civil government which the United States had during the Spanish war—with its scandals of "embalmed" beef and inadequate supplies—administrative imbecility would have wrought more terrible havoc among her own men than all the high-power explosives which the Allies have mustered.

<sup>1</sup> *School and Society* for December 25, 1915, p. 905.

<sup>2</sup> See President Eliot's address before the National Civil Service Reform League, "Can the Civil Service of a Democracy be Made Efficient," printed in *Good Government* for January, 1916.

It is a matter of common knowledge, of course, that the administration of Germany is not democratic in the American sense; that is, the public officers are not elected for short terms by popular vote and compelled to keep their attention fixed upon pleasing the public at every turn. It is not often that a ward politician in a German city can walk into the police commissioner's office and tell the commissioner to "let up" on his district, or appear before the judge of a police court and get a constituent off on the ground that he is "a good fellow." The city of New York has had thirteen police commissioners in fifteen years; the city of Berlin has had less than half that many in a century.

On contrasting the administrative conditions in the two countries, publicists of pessimistic temper are inclined to hold that efficiency and close popular control are incompatible; that only when we have autocratic power above can work be done well by the rank and file. Therefore, those who put efficiency above all forms of government advise us to surrender any cherished notions which we may entertain about liberty in order that the nation's work may be done with mechanical precision.

Such advisers, however, overlook other possible expedients. Nations as well as individuals may justly ask themselves whether it is not better to perish nobly for the sake of things that are worth while than to live miserably in mechanical bondage for the mere sake of living. But it is not necessary for us to choose between bureaucracy and suicide. It is rather for us to attempt seriously the reconciliation of strong and efficient government with democratic control.

It is false to say that the experiment has been made and has failed. The truth is the experiment has not been attempted. On the contrary, we are really in the preliminary stages of thinking about it.

Although to some the larger issues of statecraft here presented may seem somewhat remote from the question immediately before us—training for public service—in my opinion they are fundamental to any solution of the problems which such training involves. It is a waste of time for us to lay out perfect plans based upon the experience of Europe, if it is impossible to secure their adoption by American democracy, or if they mean the loss of some of our cherished political principles.

*Democracy and the Expert*

There can be no doubt that democracy distrusts the expert and there is no doubt also that much of this mistrust is well grounded and thoroughly justified. This is due partly to the air of unwarranted superiority which the expert too frequently assumes and partly to the fact that history presents a long record of self-constituted experts who have been discredited. The Stuart kings resisted the interference of the middle class in affairs of state on the ground that such matters were "mysteries"—this is the very word they used—to be mastered only by experts. In earlier times there was an expert class in theology that proposed to do the thinking for the human race in matters religious. There have been military castes, self-confessed experts who have succeeded more than once in imposing not only their professional but their class interests upon the civil population.

The theory upon which aristocracies have been defended is the theory of experts—of a class especially endowed and set apart for political government. The world's judgment on experts in state craft, in priest craft, and in military craft is so plain that he who runs may read. What the raw French levies, sometimes led by sons of butchers, bakers and candlestick makers, did to the "expert" generals of the old régime is well known to those who are familiar with the campaigns that followed the outbreak of the Revolutionary wars in 1793.

It is not mere ignorance, therefore, that leads democracy to suspect and distrust the person who sets himself up to tell it exactly how to do things. The only kind of an expert that democracy will and ought to tolerate is the expert who admits his fallibility, retains an open mind and is prepared to serve. There are many things in this world worse than very dirty streets, a very high death rate and a large percentage of crime. Anyone who is so overcome by passion for efficiency and expertness that he is willing to sacrifice everything else for the sake of securing any kind of mere mechanical excellence has no message for democracy in America.

Nevertheless, when the last word of criticism is uttered against the short-comings of the expert, it is not to be doubted that democracy also has much to learn; and the first thing is the fundamental principle set forth by Professor Goodnow in his work on *Politics*

*and Administration* many years ago, namely, that expert, scientific and technical service must be performed by those specially trained and not by those who are charged with responsibility for the determination of public policies.

Unquestionably, we are making great strides in this direction.<sup>3</sup> As Mr. M. L. Cooke, Director of Public Works of Philadelphia, said not long ago, we are really beginning to recognize that "a high bacterial count in a city's water supply remains a problem incapable of solution to the political office holder, even though he can carry every precinct in his ward." There is scarcely a session of a legislature in which an effort is not made to secure some contribution toward the improvement of the civil service.

#### *The Negative Aspects of Civil Service Reform*

In spite, however, of great gains that have been made toward such improvement, much remains to be done in creating new methods of recruiting for public employment, increasing the skill and loyalty of the personnel and retaining those of tested worth. The negative work of the civil service reformers in abolishing the grosser features of the spoils system has been fairly well done, but that is only a part of the task.

It is apparent to those who read the literature of civil service reform that the ideas of public policy expressed therein are frequently too restricted in character. One has only to examine the speeches made in the name of civil service reform and the reports of civil service commissions throughout the country to discover how inadequate, in many quarters, is the current conception concerning the function of a recruiting agency in modern government. We must develop more convincing ideas of constructive civil service reform as we ask democracy to put more faith in the doctrine.

"Keeping the rascals out," though undoubtedly important, is really not so important that one should be entirely satisfied with such an enterprise, when one considers the graver problem of how to get well-trained people into the service, keep them there after they enter, and train them for ever increasingly effective work in the service. It would be wrong, of course, to criticize all civil service reformers, for it would be possible to name here many leaders in that movement who have the widest possible outlook

<sup>3</sup> See *Good Government* for January, 1916.



upon modern questions of government service. But granting that excellent motives prevail and have prevailed and that excellent work has been done, we must say emphatically the time has arrived for giving more attention to lifting up the strong and wise than to holding down the wicked.

If one turns from the work of citizens' agencies concerned with civil service reform to the publications of the civil service commissions and authorities in the United States, one is not surprised to find that, generally speaking, these also reveal the existence of the negative notions of a generation ago. There is in this no criticism of public officers. Their duty is to execute the law, and the law reflects the thought of the citizens. The condition in the official civil service is quite well expressed in an order issued by President Taft on December 23, 1910, to the effect that "No officer or employee of the government shall directly or indirectly instruct or be concerned in any manner in the instruction of any person or classes of persons with a view to their special preparation for the examination of the board of examiners for consular and diplomatic services." Another example is afforded by the federal bulletin concerning the consular service in which it is announced that the government does not maintain a school for training the candidates for the foreign service, does not recommend any particular institution, does not suggest a list of books to be studied, and cannot furnish a course of study for any school.

No doubt the evils of favoritism against which these orders are directed are apparent enough. No objection can be urged against the government's desire to obviate those evils, but the solution of the problem is none the less ridiculous. Ridiculous is the precise word to employ. What our governments, federal, state and municipal, in effect say to young men and women looking forward to entering the public service is this:

We have no treatises which will give you accurate and adequate information about the matters with which you should be familiar. We will not allow you to get any instruction from anybody who is actually doing the work for which you want to prepare yourself. We will not give you any advice about how to prepare yourself. Although we spend millions on education in the United States, we cannot spend one dollar in preparing you to serve your country in a civil position. All we can do is to give you a list of sample questions which have been asked sometime in the past and may never be asked again. You must get your instruction and information in some haphazard, unsystematic, trust-to-luck scheme, which may by the skin of your teeth pull you through an examination.

Such a conception of the public service, which is undoubtedly the conception of the people at large, the politicians and even a few statesmen, would be truly comical if it were not fraught with such consequences to democracy.

It violates every canon of reason and every principle derived from sound experience in the efficient management of private enterprises. Imagine, for instance, a great railroad corporation or manufacturing concern conducting its employment agency on any such plans. Imagine an employing officer in a large corporation saying to an applicant:

We cannot admit you to our factory in order that you may see the nature of the work for which you are to prepare yourself. We cannot allow any employee of this factory to give you any instructions about what you are to do. We cannot give you anything but a list of questions which we asked someone two or three years ago. We cannot tell you where to go to get any information about how we do business. The thing for you to do is to go out and walk up and down the streets until you find a sign bearing these mystic words—"people crammed for any job on short order." Spend a few hours there and then trust to the benign Providence who watches over you to slip you past a long list of questions which a few examiners on the tenth floor of our building have prepared for novitiates.

If the private business of this country were conducted on any such program we should be back in the stage-coach days of civilization.

This is not, however, any criticism of those charged with the administration of our civil service laws—it is simply a description of the current American notions regarding the right way to recruit the public service.

Not until we have accepted the principle established in private business experience, that persons will not be regularly admitted to employment until they have demonstrated that they can *do* the work which is required of them, can we build our recruiting systems upon a solid foundation. This means that our civil service commissions should become less and less examining bodies and more and more training bodies. Unless we can endure this thought we might as well give up all notion of reconciling democracy and efficiency.

#### UNIVERSITIES AND TRAINING FOR PUBLIC SERVICE

While this notion is slowly taking hold of the public mind, those of us who are connected with educational institutions must be willing

to take stock of our own ideas and pre-conceptions and subject them to searching scrutiny. Certainly, we shall be doing the public service a lasting injury if we attempt to make it more academic in character. While not for a moment deprecating the value of mere book learning, while stoutly contending that democracy has too little respect for the wisdom which is founded on the recorded experience of the human race, we must not ignore the fact that *doing* and *knowing* are different things. We must acknowledge the educational value that inheres in *doing* things and add this art to the seven liberal arts so long cherished. Why, for example, should we give a student academic credit for writing a thesis based on the reports of probation officers and deny him credit for doing the work of a probation officer? This is in effect saying—"If you know how somebody else did a thing you are entitled to a degree, but if you can only do it yourself you are a barbarian."

*Academic Credit for Practical Work Is Necessary*

There is a practical aspect of this problem also. Life is short and our educational program is already too long. We cannot ask very many students to spend four years in a high school, three or four years in college, three years in a law, medical, or engineering school and then devote a year or two to unpaid and unrecognized field and laboratory work preparatory to entering the public service. The exigencies of time compel us to combine doing with learning and that which necessity dictates is endorsed by experience in sound methods of instruction. To speak more concretely, those of us in the universities and colleges who propose to help the public service by training students for it must be willing to count toward the academic degree a reasonable amount of work done in departments of government or in business enterprises of kindred character.

From an academic point of view this is undoubtedly a serious matter. It is already difficult enough to maintain high academic standards, and cautious teachers are justly afraid of lowering that which is already too low. This educational work of "doing" must be properly organized; it must be so laid out that it can be properly evaluated. Methods for recording time spent and results accomplished must be devised and adequate supervision and

control must be guaranteed.<sup>4</sup> When this is done there is no doubt that our institutions of learning will be glad to coöperate in the truly great work of training for the public service.

This function of organizing what may be termed the laboratory work in public service is, properly speaking, a public function. It should be undertaken by the municipality and the state and the federal government and by educational institutions, especially those supported by public funds. If this is not done, charges of favoritism may arise, which will disarrange the best laid plans. That it can be done by public institutions is demonstrated by the work of the College of the City of New York in organizing certain field courses in connection with several of the important departments of the city.<sup>5</sup> That it can be done informally by private institutions also is demonstrated by the four years experience of the Training School for Public Service connected with the Bureau of Municipal Research in New York.

#### *Academic Training for Public Service*

When public opinion is prepared for a trained service, and when the practical laboratory work for training is organized and duly accredited, the problem will be by no means solved for the universi-

<sup>4</sup> The following methods are used in the Training School for Public Service to control the so-called laboratory work of the students:

1. The work of the student is carefully planned and given to him in the form of assignments;
2. Each assignment is for a definite period of time and is an order to perform a definite task, either in research or in some department of the city government;
3. As far as possible merely clerical work is avoided, although there are few tasks which do not call for a large amount of clerical drudgery;
4. Each task to which a student is assigned is a part of a study or installation undertaken by the Bureau of Municipal Research;
5. A record of all assignments in detail is kept on file;
6. Each student is under the direction and control of a staff officer of the Bureau and the supervisor of the Training School;
7. Written reports on the progress in the assignment are required every two weeks and are graded and kept on file;
8. Special reports on set topics are required periodically, graded and kept on file;
9. Each student is required to turn in a daily record card showing the number of hours devoted to his work;
10. Periodical, oral statements of work done are required.

<sup>5</sup> See *Training for Municipal Service* published by the Bureau of Municipal Research, New York City. Price 50 cents.

ties. It will be necessary of course to give a substantial academic foundation for the laboratory work, in the form of organized instruction. This is no simple matter. Training for public service is unlike training for law or medicine. It is relatively easy to lay out the field of jurisprudence and to say that a student must have a certain amount of criminal law and civil law—so many courses on real property, contracts, etc.

The public service on the other hand is extraordinarily varied. In the municipal service of New York City there are no less than 371 distinct titles, and our state and federal services are scarcely less differentiated in character. A few titles selected at random from the general service will indicate how complex is the problem. Public service in this country calls for consular and diplomatic officers of various grades and titles, electrical, mechanical, civil and chemical engineers, physicians, pathologists, bacteriologists, physiologists, geologists, topographers, veterinarians, oculists, nurses, teachers, lawyers, statisticians, chaplains, accountants, inspectors of many varieties, sanitary officers, draftmen, librarians, dock masters, social investigators, to say nothing of the minor positions.

From the point of view of training for public service, these various positions may be divided into certain broad groups. Professor H. G. James has classified the foundational courses in the University of Texas as follows: legal, sanitary, financial, educational, engineering, and public safety, including in the last, police, fire, charities and corrections.

While in a way this broad classification is exhaustive, it is apparent on closer examination that great variation in detail must be worked out within each group; for example, engineering work in a municipality is highly diversified and specialized. Ordinarily, a man trained in mechanical engineering is not prepared to undertake the functions of a civil engineer, and a civil engineer does not have the training in chemistry which fits him to test materials purchased by a city.

It is not necessary to go into further detail to show that the university which undertakes a comprehensive program of training for public service cannot merely lay out a few curricula and announce to the world that it is graduating specialists in one of five or six particular sciences, when as a matter of fact the actual public



service calls for from two or three hundred varieties of technical specialties. While there may be certain underlying courses necessary to all branches of the service, still any institution that prepares for the service in general must be ready to give great flexibility and variation to the programs of its students. The enterprise, in short, calls for the coöperation of a large number of specialists in almost every branch of human knowledge.

*The New Science of Administration*

In addition to the technical specialties there is slowly being evolved also a new field of public service for which a somewhat homogeneous curriculum can be worked out. I refer to the field of public administration. Those who have watched the course of development in our engineering schools know very well that the higher grade institutions are tending away from the old technical instruction which savored of manual training, toward what is called efficiency engineering, or management. To speak concretely, the type of mechanical engineer for whom the world has the most need today is not the man who can simply run a lathe or put together the parts of a power plant, but the man who can organize and supervise hundreds and even thousands of men who are running lathes, drawing designs, and assembling plants.

Students of government who follow this trend are at last becoming aware of the existence of a science of public administration distinct from any technical specialty such as law or engineering. They are beginning to realize that the science of administration devised by the lawyers—the bare description of legal structures, powers and duties—is largely a science of administrative nihilism, whose function, all too frequently, is to render the government impotent and contemptible in the defense of private rights. This legal science is no science of management at all, but at very best the starting point for any genuine science of administration.

Inchoate though this new science of administration may be, it is none the less very real. A great deal of the literature already exists in scattered form, and many courses of instruction bearing upon the subject are already given in various schools in our universities. The immediate problem is to coördinate these courses and to supplement them by new programs of instruction, so as to create a curriculum of public administration which, when superimposed upon law, engineering, accounting, medicine, a college education

or business experience, will help to prepare students for responsible positions which do not call for technical and scientific performance, but for the organization, supervision and investigation of technical and scientific work. Such a program should consist, in part at least, of the following elements:

1. Administrative law;
2. Taxation, finance and budget-making;
3. Scientific management;
4. Public works management;
5. Methods of recruiting and maintaining an efficient personnel;
6. City planning;
7. Problems of departmental organization;
8. Preparation of reports;
9. Statistics and graphic presentation.

*The Direction of University Training for Public Service*

It must be understood, however, that this new administrative science must be built upon solid foundations and that it can be taken with success only by a select few of high grade students. The main work in training for public service will still be highly specialized and cannot be conducted by a single school of a university. It should be managed by a committee under a responsible director thoroughly acquainted with the requirements of the public service and closely in touch with the methods of examination and appointment. Such a director should have in his advisory committee representatives of the several schools of the university, who are competent to give advice as to the right training for the various positions in the public service thrown open from time to time. Such a general centralization of supervision was suggested in the *Report of the Committee on Training for Public Service* of Columbia University, published on March 27, 1915, from which the following recommendations are taken:

1. That a university standing committee on training for public service be established, the said committee to be composed of a chairman, and four additional members from the School of Mines, of Engineering and of Chemistry, the Faculty of Political Science, the School of Architecture, and Teachers College;
2. That it shall be the duty of the standing committee to continue the study of the problem of training for public service and present from time to time to the appropriate authorities recommendations relative to the organization of new courses, the adaptation of courses already offered, and such other matters as may be calculated to increase the efficiency of the university's work in training for official and unofficial public service;
3. That it shall be the duty of the chairman of the committee, in coöperation

with the present committee on appointments, to keep a record of all positions, federal, state and municipal, which may be attractive to college students, and the subjects and dates of approaching examinations, and to be prepared to advise students contemplating entering the public service as to the courses and methods to be pursued in preparation for such positions. It shall be the duty of the chairman to confer with civil service commissioners and chief examiners as to the relation between university instruction and civil service examinations, standards, and eligibility. The chairman shall also study the whole field of unofficial public service and be prepared to advise students desiring to enter that service;

4. That the announcements of the several divisions of the university shall contain a statement of the scope and work of the committee on training for public service in order that students may be encouraged to confer with the chairman as to courses of study leading to public service and the methods of entering such service.

#### *Reconstruction of Civil Service Commission Reports*

Finally, attention should be called to the fact that the work of colleges and universities in training for public service would be greatly facilitated if civil service commissions would prepare reports directed to those seeking admission to the public service as well as to the general public. Such reports should contain information on the following points:

1. The various types of positions in the public service classified according to function;
2. The number of positions in each functional class, the average number of appointments during the past few years, as a basis to estimate probable demand in the future;
3. The special training, qualifications and experience required for admission to the various classes;
4. Lines of promotion within classes and groups;
5. Promotions in the several classes and groups for the past few years, as a basis for measuring probable opportunities;
6. Brief statement of the training and qualifications of persons recently admitted to the several groups and classes, designed to inform probable applicants as to the character of persons actually admitted to the service.

With public opinion properly educated to appreciate a trained service, with our civil service commissions transformed into general recruiting and training bodies, with field and laboratory experience in public service well organized and recognized by institutions of learning as counting toward their degrees, with the new science of administration now in the process of making thoroughly constructed, with directors of public service training in all our large institutions of learning, we could look forward confidently to the solution of the problem presented at the opening of the paper, namely, the reconciliation of democracy and efficiency.

## A PRACTICAL GUIDE TO RESPONSIBLE GOVERNMENT

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The perfecting of democracy has already gone far beyond the experimental stage in no less than four hundred American cities. These communities have actually abolished "invisible government" and made the abolishment "stick." The old-time boss has disappeared even in Hoboken, N. J., where he is a responsible being now, having been elected mayor! The personnel of the government has not been revolutionized, but the people's servants have been surrounded with a new atmosphere. Into their hands have been placed more powerful instruments wherewith to enforce the people's will and responsibility has come with the power. The characteristic delays and postponements of former days have given place to quick decisive action. Wider undertakings have been entered upon but the cost of government per unit of service has usually been materially reduced. In short, government has been readjusted to life.

### *Models of Irresponsibility and Inefficiency*

The typical American city government prior to the commission government movement, was a more or less faithful copy of the nation and state. It was founded upon the same traditions of divided responsibility and the same ingenious mechanism of "checks and balances."

An analysis of such a city government throws a flood of light on the whole problem of responsible government. Picture a city organized on the general plan of Philadelphia, or Baltimore, or, until recently, St. Louis or Buffalo. Begin at the ballot box where the citizen officially does his thinking and expresses his desires or policies. Is it a simple issue that confronts him on election day? The powers that be have placed him in an arbitrary geographical compartment of the city. Without a sound reason, such as the unwieldiness of the city as a voting district, or the distinctive social make-up of his neighborhood, the municipality is divided according to the population figures and the voter is invited to make an issue

of alleged interests of his neighborhood as against those of the whole city—a false, artificial issue in most cities, but one which serves the local party organization ideally.

The case would not be so bad if the candidates for aldermen and councilmen stood squarely on the interests of the whole city or even of a particular corner of it. But not so. A second element of confusion is injected into the election: the voter is not privileged to select his councilman by the test of a live local question. He must choose with an altogether foreign consideration in mind. The Democrats perhaps have been in power in the country and the crops in the middle west have refused to grow. The voter, having a natural aversion to hard times, or having conceived in youth a life-long distrust of Democrats, has nothing to do but wreak his vengeance on the nearest visible object of his dislike that happens to have a nominal association with the national administration then in power. It is not simply that the city candidates are tagged with a national label. Worse than that, they are put at the bottom of the same long ticket with candidates for the national and state offices, so that the voter can hardly fail to drag his national party politics into the local contest.

#### *Diverting the Voters' Attention*

When the voter has finished with electing officials to interpret his wishes in the city governing body, that perhaps is the end of his troubles? No indeed! He must select the city's legal counsellor. Perhaps also he is required to pass upon the men who would file the city's records and manage a lot of clerical routine business—the candidates for city clerk. He may also be expected to vote upon an auditor. Now all these questions serve no other real purpose than to distract the voter's attention. The city's attorney is not the private adviser of the individual voters. He is no real issue to them. As for the city clerk, the only issue is that of office honesty and efficiency, which is scarcely a debatable question. And the auditor—his function is to keep accounts straight—a function for which he should be responsible to his direct superiors, the governing body.

But the end is not yet. The voter selects the chief executive. And the mayor looms up so much larger on the ballot; he is so much more conspicuous as a figure in the official community that in most



cities men have come to regard him as the one great local issue. They have come to regard the city as safe for at least another period if a "good man" was elected to the position. The mayor is not usually chosen on the merits of his policies. He is often simply a heroic figure set up to oppose some dark sinister person who is the particular outrage of the year. In the election campaign he is too busy dissecting his opponent's vices to seriously discuss any important local issue.

#### *Watching the Sources of Public Policy*

So much for the individual voter. Now for the electors in the mass: the legislating branch of the government has been assembled and the mayor and the other minor officers have taken the oath of office. Are the voters' troubles over? No, the issues are further complicated. It would not do to have the people keeping their attention on a single spot of government. They might too easily control the sources of official action! And so, the government is constructed to present to the electorate not one face, or two, or even possibly three, for the council is split into separate houses, the mayor constitutes a third source of power and each of the minor elective officers is commissioned directly by the people and thereby authorized to operate in his own little sphere. Every one of these separate offices is virtually a separate government. Every one of them is a standing issue in the community (or would be if the theory of popular election worked out). For why should the people elect a city attorney or a city clerk or an auditor, if he is not an issue to them? Why hold an election when there is nothing to decide?

But the multiplication of issues is surely ended? Hardly! When one looks to the outward organization in the separate houses of the council, he has not seen the source of real power and activity. He must dig deeper, for the council is divided up in committees and the really important policies are already decided when they come before the official representatives of the people—and confusion is multiplied as many more times as there are committees in both houses of the council.

#### *Mixing up Law-Making with Administration*

But let us keep going. The council surely will have the goodness to confine itself to the sort of things that councils are sup-

posed to do, *i.e.*, the framing of laws and giving of general directions to the operating departments of the city. But not so under the old order of city government. Such councils confuse their law-making functions and tangle themselves up with a lot of questions of detail which keep them from looking the policies of the city squarely in the face. They are obliged, for example, to pass upon the appointments of administrative offices made by the mayor under a beneficent "check" known as "confirmation." If it comes to a straight open issue as to whether Main Street is to be extended, that simple question has to be balanced against the appointment of the third assistant deputy of charities. If it is a question of restricting the number of saloons, that may be tangled up with the selection of a deputy wharfinger. The chances are also that the committees of the councils, instead of framing up the policies for the city, will actually try to act as the executive heads of the city departments. And this notwithstanding they are not elected on that issue or with any reference to their fitness to perform such specific services, but only to represent the wishes of one of the districts of the city.

#### *No Clear Executive Issue*

Turn now to the executive side of the government. The mayor is at the head. But at the outset we discover that the voters cannot make a clear issue with him of any bad piece of administration that is perpetrated. The mayor simply is not responsible for the duties which are legally conferred upon him. He undertakes a policy of retrenchment in the water department. But the "confirmation" clause in the charter dictates that any man he may propose for executing that trust must be satisfactory to the powers that control the council. It may be, too, that he will need legal advice before proceeding on a given course. But unlike any private executive, he has no choice in the selection of his own lawyer. The people (nominally) have decided that question for him in advance, as though the city attorney were *their* private lawyer. The mayor may even find the incumbent scheming to discredit his administration in the eyes of the people. The mayor may be blamed for the mismanagement of the finances. But he has practically no choice but to put his stamp of approval on the work of the council who, with precious little real executive knowledge of administrative needs, have framed the budget to their own liking. And so when the

mayor turns up for reelection and his record is under discussion, he can always say that he has not been given the proper where-withal to do the work entrusted to him.

Descending into the depths of city government, perhaps we shall find the issues clear at last. Physicians in the hospitals will be chosen for their skill in coping with disease; draftsmen in the engineering departments for their mechanical ability; inspectors because of their peculiar fitness to inspect public works. These would seem clear administrative issues. But everybody knows that the issues here, again, are clouded. Bricklayers are not selected for hospital work, but doctors who ought to be bricklayers are given preferment. Barbers, perhaps, are chosen as building inspectors and grocery clerks for foremen. The issue of skill and efficiency is obscured beyond all recognition by the issue of personal reward for party service.

#### *Parallel Conditions in State Government*

Now every American citizen knows that the foregoing is but a tame, conservative description of political conditions in American cities. He perhaps does not realize that while the 400 cities have been rescued from the deep dark jungle of confusion, state governments remain practically exact parallels in every detail of the system described. To summarize:

(1) State governments suffer from the confusion of jurisdictions (national, state and local) when state officers are elected on the same ballot with congressmen, United States senators and local officers.

(2) The artificial district plan (although more justifiable and perhaps even unavoidable in the state government) gives rise to petty localisms and log-rolling.

(3) Bi-cameral legislative bodies leave the state voter guessing as to where the source of the law-making power really is.

(4) The legislative committees often essay to exercise what amounts to executive power over the heads of administrative departments, especially in financial matters.

(5) The legislature elected to make laws, and properly on that issue alone (if politics is to be clear and simple) exercises a real appointing power through "confirmation."

(6) The election of minor administrative state officials drags administration into politics.

(7) The responsibility of the executive is obscured in the exercise of the appointing and budget making power.

(8) In all but ten states the clerical, technical and professional officers and

employees of the state are chosen without any definite examination of their fitness for their particular work, and probably in the majority of cases because of party service rendered.

#### *How the Federal Government Suffers*

The federal government also is a sufferer from most of the confusion of issues which has done more than anything else to make city government "the most conspicuous American failure." Only three qualifying statements need be made in this connection:

(1) The federal government has no elective administrative officials, not even an elective judiciary.

(2) The merit system has been extended well down into the administrative service.

(3) The federal government gets rather the best of it in popular elections by commanding the attention of the electorate as against state and local issues.

A significant point to remember is that these three exceptions from the general rule of American practice probably account for the reputation for superior efficiency which the federal government enjoys.

#### *Cities Pointing the Way Out*

Now the cities of America have found the way out of former perplexities and difficulties by a sweeping process of simplification. We may take the new Dayton city government as a type.

When the voter starts to form his government he casts his ballot not as the denizen of an artificial geographical section of the city. He is expected to act as a citizen of the community as a whole and the ballot affords no encouragement for his being anything else.

When he places his cross opposite the name of a candidate he is not forced to bring to mind the state of the wheat crop in Kansas or the policy of the Democratic administration in Mexican affairs. It is a straight, unconfused local issue which is put before him.

On his ballot are the names of none but candidates for legislative or law-making offices—and only one set of these, all of equal rank and importance. He must think of his candidates not in terms of their executive or professional ability, but simply as to the degree in which they represent his general point of view on city affairs.

In voting for his candidates, since he votes for a group, it is

practically impossible for him to vote *against* anyone. He must vote *for* somebody. So that there would be no particular point in any candidate going about and throwing up a lot of dust in the eyes of the people by abusing someone else on the ticket and neglecting the vital question at issue.

Likewise, the whole body of voters are able to watch a single group of men at the city hall and know that by doing so they control the source of power, policy and activity all the way down the administration to the last office boy. They do not have to watch the city legislatures, plus a mayor, plus a number of independent elective administrative officers. There is one source of power and not half a dozen.

#### *Legislature Has Real Responsibility*

And when the council gets down to work the citizen knows that what he sees in the open council meeting is real business and not a lot of fake motions calculated and designed to fool him.

The council has been divested of the care over the details of administration and it is able to devote itself exclusively to the one purpose for which it has been chosen, the framing of policies. It makes only one appointment. There is no material for trades and deals. Its members do not attempt to act as heads of administrative departments.

On the executive side, the issue is equally simple. In the first place, the executive (city manager) is not selected for his oratory or for his wire-pulling proclivities. The only issue in his selection is his ability to fill a post whose duties are well defined.

As it is not his business to decide *what* the city shall do but only to execute orders and to *make suggestions* of policies, he is not chosen by the people but by the governing body, which in its turn is responsible to the people for getting its orders enforced.

#### *A Responsible Executive*

And having been appointed to do executive work he (the city manager) is given control over the tools with which to execute the job. He does not select his commissioner of public works or commissioner of finance from a list of men who have friends on the council or who have shown a particular *unfitness* for their duties, but from the men who are particularly qualified in the special lines.



The city manager also formulates the budget and he is the appropriate person to do it since he knows the financial needs of the city as no mere fraction of the council can. Since he represents the interests of the whole city and all the departments, he can view every request for appropriations in its relation to every other. But the city manager only recommends and suggests and the power of the purse is retained in the elective body where it belongs.

The responsibility of the executive, moreover, is facilitated by the "merit system," which enables him to sift the qualifications of candidates for administrative office, relieves him of the burden of the detail of selection and leaves him free to plan and execute the policies laid down for him by the city's governing body.

And so we have in Dayton and the other thirty or forty odd cities that are organized on the same plan, a complete disentanglement of the lines of responsibility. This is a process of making the citizens as well as the officers responsible. There is a complete clearing up of the issues, political, executive and administrative.

We therefore seem to have, in the example of city governments of the city-manager type (and to a less degree in the older commission government type), a suggestive program of constructive simplification for every unit of government. These cities have standardized the principle of responsibility as the key to the representative, responsible, efficient administration of public affairs.

## BOOK DEPARTMENT

### AGRICULTURE, MINING, FORESTRY AND FISHERIES

MORGAN, DICK T. *Land Credits: A Plea for the American Farmer*. Pp. xvi, 299. Price, \$1.50. New York: Thomas Y. Crowell Company, 1915.

To the economist this book is more interesting as a specimen of the ideas underlying radical southwestern agrarianism than as a contribution to knowledge. It is the result of some nine months' work by an Oklahoma congressman fired with desire to relieve the oppressed American farmer—his constituents—from discriminatory interest rates.

The author starts with the thesis that lack of cheap credit, attended by discrimination by existing financial agencies against farmers, is the chief cause of the farmer's difficulties. He examines European policies briefly to find what they have in common, and stresses two points: long time and absolute security (the latter often associated with government aid). He next presents an interesting legislative history of the various land-credit bills, and urges objections to the following provisions of the three "officially endorsed" bills: private corporations, expense of administration, inefficiency (due to lack of concentration), no hard and fast regulation of the interest rate, no government aid to make bonds secure. The bulk of the book—chapters V to XII—deals with these objections, the largest share of attention being given to government aid (82 pp.).

The author himself favors (1) centralization in one powerful federal organization; (2) a uniform maximum of 5 per cent on loans; (3) a government guarantee of bonds, or, if that be impossible, a contribution to a large reserve fund.

A fundamental error is the failure to appreciate the reasons for the existence of different rates of interest in different regions.

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### COMMERCE AND TRANSPORTATION

DUNBAR, SEYMOUR. *A History of Travel in America*. (4 vols.) Pp. li, 1529. Price, \$10.00. Indianapolis: Bobbs-Merrill Company, 1915.

The scope of this work is broader than is indicated in its title. It is a history of the development of facilities for transportation and their introduction and use in the United States. While of special interest to students of transportation the work is also of very great value to all who are interested in the story of the social and commercial development of America, particularly as that development has been the result of the increase in facilities for travel and trade.

The method of presenting the subject is fortunate in that it appeals not only to the trained scholar but to the general reader. As stated in the preface, "the sources for the text have been files of early newspapers; various collections of

manuscripts and documents in libraries, historical societies and elsewhere; diaries, letters and printed chronicles of pioneers; narratives in state and local histories." Carried through the volumes are some four hundred illustrations which in themselves are a pictorial record of the entire period covered by the text. These appropriately begin with the fashioning of a dugout and a pioneer carrying his family in a log canoe, and end with the flight of an aviator, June 13, 1910, from New York City to Philadelphia, overtaking a railroad train running at fifty miles an hour. In the choice of pictures as well as in the selection of illustrative stories or anecdotes from personal narratives, the author has shown discriminating taste, and the result is entirely pleasing.

The reader will be interested in the description of the wastefulness of the methods employed in the early days by those who were attempting to solve the pressing problems of transportation. The reason for the methods, however, is apparent and the waste was inevitable. It was a period of experiments and make-shifts. Much of the loss was due to the inevitable discarding of one instrument for a better one, as when the wagon gave way to the canal, and the canal to the railroad. Some of the loss, however, was unnecessary, the result of a shortsighted policy on the part of those who attempted to add to their own profits by the destruction of their rivals. Of one phase of this the author observes, "The fight by which the railroad overwhelmed the canals and destroyed many of them, instead of recognizing the ultimate value of the two highways to each other, was one outcome of the jealousy and shortsightedness engendered by those conditions under which the modern era in transportation began. So, also, was the similar hostility manifested for a time by the railroads—though less openly—to the improvement of wagon roads and to river traffic. Today many of the railways are systematically, and at large monetary cost, educating the people in the value of better wagon roads and are even beginning to suggest the resuscitation of the canal system and its extension, after the method used in France, in those parts of the United States to which that process is adaptable."

In the main Mr. Dunbar's work is a natural, orderly and well balanced account of his subject. He strays from the path, however, in his discussion of the relations of the white people and the Indians. His departure is less marked in his story of the unfriendly treatment of the Indians by the early settlers which resulted in the long confinement of the whites within the territory east of the Alleghenies and in greatly restricting travel and emigration previous to the time that Boone broke through the barrier and led a band of settlers to the neutral territory of Kentucky by way of his Wilderness road. But in dealing with the removal of the Indians of the northwest and particularly with the harsher eviction of the well civilized tribes of the South, the author consumes more than 200 pages. Though the chapters are of great interest, yet his explanation that "such were the methods used throughout the country—both North and South, for clearing the region east of the Mississippi for white movement and dominion, and that constitute the foundation on which the white race erected the unparalleled system of highways, canals, and railroads," hardly justifies the detailed account of Indian history. The same criticism may be made with respect to the story of the expulsion of the Mormons from Nauvoo.

The volumes are attractive in appearance and the paper and press work are

excellent. The history is worthy of a place on the shelves of every school and public library.

T. W. VAN METRE.

*University of Pennsylvania.*

HOUGH, B. OLNEY. *Practical Exporting*. Pp. 623. Price, \$4.00. New York: The Johnston Export Publishing Company, 1915.

A comprehensive discussion of the exporting business based on years of practical experience of the author as salesman, manufacturer and merchant. It explains in detail all the steps taken in marketing goods in foreign countries: selling, preparation for shipment, transportation, financing and insurance. The rapid increase in the quantity and variety of the exports of the United States has created a wide demand for a book of this character, and business men will undoubtedly welcome such an authoritative and admirably constructed work.

T. W. V. M.

SHARFMAN, I. LEO. *Railway Regulation*. Pp. vi, 230. Price, \$2.00. Chicago: LaSalle Extension University, 1915.

This volume is a well-balanced and clear statement of the problem of railway regulation in the United States and an account of the efforts which have been made both by the states and by the federal government to solve the problem. References to decisions of courts and commissions are given throughout the text, and a short but well chosen bibliography is appended.

T. W. V. M.

#### LABOR PROBLEMS

HENRY, ALICE. *The Trade Union Woman*. Pp. xxiv, 314. Price, \$1.50. New York: D. Appleton and Company, 1915.

The chief merit of Miss Henry's little book is the vision which it gives to the reader of the interrelationship and the social significance of the various efforts of woman along lines of concerted action. The economic forces which have thrust woman into industry are gradually teaching her the necessity for coöperation. The two chief manifestations of this collective activity on the part of the working woman are to be seen in the struggle for economic betterment, the trade union movement, and in the struggle for the tool of political power, the ballot. The result of the trade union movement has been a linking up of the interests of the working woman with those of her working brother; the result of the effort to gain the ballot has been the realization of a common sisterhood among women of all classes.

Four of the thirteen chapters of the book deal with the historical development of trade unions among women from the beginnings in 1825 to date. The remaining chapters are given up to specific problems, such as *The Immigrant Woman* and *Organization*, *Women and the Vocations*, *The Working Woman* and *Marriage*, *The Working Woman* and *the Vote*.

The author pleads for technical education for the working-girl. "It is poor

policy and worse economy to argue that because a girl may be but a few years a wage-earner, it is therefore not worth while to make of her an efficient, capable wage-earner" (p. 186). Moreover, the working woman's life today is separated into three dislocated stages, and our educational system makes no attempt to bridge the gaps. Childhood, girlhood, and womanhood are unrelated, and "at no time is any intelligent preparation made either for a wage-earning or a domestic career" (p. 222).

The style of the book is popular, in conformity with the author's purpose of supplying answers in convenient form to questions that are constantly being asked. The book is admirably fitted to give to the general reader a sympathetic realization of the significance to the working woman of industrial legislation, judicial decisions, the right to organize, and the right to vote. The student, as well as the general reader, will be grateful for this concise treatment of the subject of woman and organization, though he will regret the almost total lack of reference citations in the book. A complete bibliography partially compensates for this deficiency.

ESTHER L. LITTLE.

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HUSBAND, JOSEPH. *America at Work*. Pp. 111. Price, \$1.00. Boston: Houghton, Mifflin Company, 1915.

Can we personify material facts of modern industrial society? Must we always express material power in terms of horse power, or material bigness in terms of feet, or material amount in terms of bushels? Can we not better convey our sense of power, of bigness, of quantity, by personifying those things, and at the same time, prevent the endless crush of facts with which we deal from palling on our enthusiasm and imagination? Mr. Husband, in this little book of twelve chapters, has selected a number of commonplace, everyday phases of our industrial life and told them with a glamor and romance that makes us picture anew the semaphore, the fire damp, or the factory.

J. H. W.

JOHNSEN, JULIA E. (Compiled by). *Unemployment*. Pp. xl, 242. Price, \$1.00. New York: The H. W. Wilson Company, 1915.

Anyone who has taken up the study of unemployment appreciates how difficult it is to get in touch with the best modern thought about unemployment. Miss Johnsen has made a really valuable contribution, not only to debaters but also to any student of unemployment, in bringing together these carefully selected readings.

The first part of the book consists of a brief both for and against a national system of public labor exchanges and an extensive bibliography, which is particularly complete in its references to labor exchanges and public work. The main portion of the book consists of selected readings on unemployment.

Miss Johnsen may be criticised, along with most other students of unemployment, in that she has not given sufficient attention to the articles dealing with the steadying of employment by employers.

J. H. W.



## MONEY, BANKING, AND FINANCE

HAIG, ROBERT M. *The Exemption of Improvements from Taxation in Canada and the United States*. Pp. 291. New York: Published by the Committee on Taxation, 1915.

POST, LOUIS F. *The Taxation of Land Values*. (Fifth Edition.) Pp. 179. Price, \$1.00. Indianapolis: Bobbs-Merrill Company, 1915.

Dr. Haig's timely study is an important contribution to the literature on taxation of land and improvements. It is the first (and the more valuable) of two reports<sup>1</sup> which he has prepared for the Committee on Taxation of New York City, and presents the results of a field investigation carried on in the summer of 1914. The report is divided into two parts. Part One (pp. 11-258) is "an effort to state concisely all the available facts which may aid in understanding the system of taxation in force in the various cities or throw light upon its effects." The experience of cities of the United States with exemption of improvements calls for but brief treatment (pp. 241-58), this being mainly a consideration of Tax Commissioner Pastoriza's extra-legal actions in Houston, Texas, in under-assessing improvements and personal property (which the courts forbade in March, 1915). But in the Canadian provinces of Saskatchewan, Alberta and British Columbia, practically all the municipalities tax improvements at a lower rate than land, and many, including the cities of Vancouver, Victoria and Edmonton, do not tax them at all; also there are special provincial land taxes. Dr. Haig has aimed to show the place of these land taxes in the scheme of provincial and local finance, and, as a result, his report is a valuable compendium of the fiscal systems of the Canadian West.

Part Two (pp. 261-80) is entitled *Generalizations and Conclusions*. The more important of these may be summarized as follows. Exemption of improvements in western Canada, though "not the primary cause of building activity" (p. 270), has stimulated it; indeed, real estate men have favored the policy because "they are eager to encourage anything which promises to assist in increasing land values and nothing seems to be more effective for this purpose than the rapid construction of buildings" (pp. 275-76). Land speculation has not been hindered greatly in the larger cities because of the low tax rates, but it has become profitless in some of the smaller towns, where tax rates have been high. The land taxes have not been adequate revenue producers under all circumstances; in some Alberta towns rates as high as 8½ per cent were found necessary (p. 142), with over-assessment of land as an alternative. The steps toward exemption were free from undesirable results only when land values were increasing so rapidly that neither a lessening of the tax base nor an increase in the rate was involved. The effects of exemption upon general prosperity cannot be isolated because of the complexity of economic forces, and because nearly all the cities possess "exclusive characteristics of greater importance than their tax systems" (p. 264). Finally, it is significant that "the Canadian experiments have been confined to young cities" (p. 280).

<sup>1</sup> The title of the other report is, *Some Probable Effects of the Exemption of Improvements from Taxation in the City of New York* (pp. 254). Both reports were presented in the fall of 1915.

Mr. Post's book is the fifth edition, but slightly revised, of a work which ranks as one of the strongest presentations of the single tax argument. Mr. Post was one of the earliest of Henry George's converts and was intimately associated with him for many years, hence he is able to speak with authority on the subject of the single tax. Here Mr. Post treats exclusive land value taxation (1) as a tax reform, and (2) as an industrial reform. The argument is the familiar single tax argument, with particular stress upon two ideas: that land taxes conform to the benefit principle, which is the true principle of justice in taxation; and that no permanent amelioration in economic conditions can take place until society, rather than private individuals, receives the income from land, the source from which labor produces wealth.

The book is divided into three parts: the argument proper (pp. 1-53); "Answers to Typical Questions" regarding the single tax (pp. 54-81); and "Explanatory and Illustrative Notes" (pp. 85-179). Some of the material in the latter part is so important that it might better have been incorporated in the argument proper.

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#### SOCIOLOGY AND SOCIAL PROBLEMS

CONKLIN, EDWIN G. *Heredity and Environment*. Pp. xiv, 533. Price, \$2.00. Princeton: Princeton University Press, 1915.

For many years it has been my custom to begin a course on social institutions by a brief survey of the concept of evolution and a sketch of modern biology. It often has been difficult to find books for collateral reading which would cover in broad and suggestive fashion this field, and yet not be too technical for non-biologists. For this purpose I have found Dr. Conklin's book of great value. His discussion is thorough and accurate, yet is popular in style. He does not ignore disputed points, neither does he dwell on them to the confusion of the reader. The many illustrations are well chosen.

In reality the author has given us a study of heredity with special reference to man. The volume is divided into six chapters. The first, Facts and Factors of Development, describes the growth of the organism from the egg to maturity, including the development of the mind, and a survey of the theories of the causes of such growth. In the second chapter, Cellular Basis of Heredity and Development, we are given a very complete résumé of what is now known about the cell and the mechanism of heredity. The third chapter, Phenomena of Inheritance, describes the inherited resemblances and differences, the statistical and the experimental methods of studying inheritance and gives an excellent account of Mendelianism. Beginning with chapter four, Influence of Environment, we enter the vexed field of the interaction of internal and external elements. Without taking a dogmatic position, the author outlines the questions involved and shows what is now known as to the power of external stimulants to cause changes. He makes clear that normal growth must take place under favorable conditions and is thus able to emphasize the necessity of Euthenics in social life. In chapter

five, *The Control of Heredity: Eugenics*, is treated. We are shown that artificial selection in animal breeding has *produced* nothing but has merely made new combinations of elements thought desirable. There has been in historic times no improvement in human heredity and there is no likelihood that any program of eugenics will greatly change the situation. Nevertheless negative eugenics, the prevention of the reproduction of the defective is to be commended.

The title of the last chapter is *Genetics and Ethics*. In this we have a survey of the attempts to explain human conduct, a discussion of fatalism, free-will, determinism, etc. Professor Conklin believes that with the evolution of the higher centers there has come increasing freedom in the sense at least of power of inhibiting reaction to stimuli. Man is freer than other animals. Normal men may respond to higher stimuli than animals, stimuli social in origin and nature, not chemical and physical. Hence comes responsibility. In this response to social stimuli men are not equal and the inequality is in part due to differences of heredity, in part to differences of life. Hence society has many duties to the individual. The present civilization is not the highest to which we may attain, nor are we as individuals as highly developed as might be.

This brief sketch indicates the general ground covered by the author. In my opinion he has given us a timely and valuable book which will be of greatest value to those who want to know what modern biology has accomplished and what its problems are, particularly those which relate to human development.

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*University of Pennsylvania.*

HOARE, H. J. *Old Age Pensions*. Pp. xi, 196. Price 3s. 6d. London: P. S. King and Son, 1915.

This is one of the first volumes to reach America which gives an account of the actual working of the old age pension system adopted in England in 1908. The method of the author is to discuss the treatment of cases of applicants showing the interpretation put by the authorities upon the questions of age, residence and nationality, income, assistance from private or public relief agencies. Though he may thereby make the discussion "practical and human," as he claims, he greatly minimizes its value for the foreigner who is not so much interested in administrative details which naturally turn largely on purely local conditions. In the ninth chapter he considers the statistics and shows the distribution of pensioners in England, Ireland and Scotland, the second named having an undue percentage. The statistics are not complete and the author says it is impossible to get complete returns from the authorities. On the whole, he is much pleased with the results of the system. Though he sees occasional injustices he thinks these may be easily remedied, and in the last chapter he makes a few suggestions as to changes.

C. K.

HURRY, J. B. *Vicious Circles in Sociology and their Treatment*. Pp. 34. Price, 80 cents. Philadelphia: F. Blakiston's Son and Company, 1915.

Barring the "vicious" use of the term Sociology in which the author hopelessly confuses Sociology which Social Pathology, he has given us a very suggestive

little monograph, showing how causes produce results which in turn become causes *ad. inf.* "For example, poverty often leads to insufficient nourishment, to malnutrition, to impaired physical and mental vigor, to diminished earning power and thus to a perpetuation and aggravation of poverty."

A large number of such "vicious circles" are presented. The remedy lies in our ability "to effect a breach at the point of least resistance, thus averting the ordinary sequence." This is the task of the social "physician," however, and not that of the sociologist.

J. P. L.

JACOBI, MARY PUTNAM. *"Common Sense" Applied to Woman Suffrage.* (Second Edition.) Pp. xv, 236. Price, \$1.00. New York: G. P. Putnam's Sons, 1915.

At the New York State Constitutional Convention of 1894, Mary Putnam Jacobi, one of the first woman physicians in the world, delivered a powerful address for the enfranchisement of the women of the state. This address, in expanded form, we find in the book, *Common Sense Applied to Woman Suffrage*.

The protest against political inequality of women first arose when women abolitionists were forbidden to speak in public for the freedom of the slave. Since that time the revolution in the industrial, educational and governmental position of women has removed the suffrage argument from the realms of abstract theory, and has made it a question of practical politics. After considering the arguments against the enfranchisement of women, Dr. Jacobi points out the benefits of such a step—these being (1) the psychological effect upon the women themselves, through giving them a consciousness of power, and (2) the uplifting effect upon the government as a whole through the liberation of the practical social enthusiasm characteristic of women.

Although twenty-two years have elapsed since Dr. Jacobi presented this address, the abstract rights of the matter as she gave them are as pertinent and all-inclusive today as they were at that time. The book is well worth reading, for it gives a masterly argument for the ever-advancing cause of woman suffrage.

J. M.

SCHAEFFER, HENRY. *The Social Legislation of the Primitive Semites.* Pp. xiv, 245. Price, \$2.35. New Haven: Yale University Press, 1915.

A somewhat more appropriate title for this volume would have been Property Rights among the Primitive Semites. Social legislation as such is scarcely referred to. On the real subject of the thesis the author has done a valuable piece of work and has made a real contribution to economic and social literature. He has compiled existing information from widely scattered sources on the subjects of slavery, interest, security, land tenure and kindred topics among the ancient Hebrews, Babylonians and Arabians. Incidental to the purpose of the book he has discussed the metronymic and patronymic types of the family, the principle of agnation and the duties and responsibilities of the next of kin. The only social contribution made by the book is a generalization not even made by the author but one which arises out of the comparative studies, viz., that social customs and

institutions among different peoples assume common forms under like environmental conditions.

J. P. L.

WALD, LILLIAN D. *The House on Henry Street*. Pp. xii, 317. New York: Henry Holt and Company, 1915.

In as significant a contribution to the literature of the settlement movement as Miss Addams' similar work, *Twenty Years at Hull House*, another leading woman of America has told the absorbing annals of *The House on Henry Street*. The author lays no claim to any theoretic interpretation of industrial society. There is lacking, perhaps, the sympathetic comprehension of modern life, the yearning idealism of the well-loved writer of the earlier settlement story. Yet the successful executive, as she comes to write, puts many a literary artist to shame by virtue of the vividness of her experiences and the lucid directness of the telling. There is here in this book the calm understanding, the tempered practicality of an energetic mind set to the solving of definite problems, to the high end that the means of fuller life be provided for the East Side multitude. And fuller tribute might be paid the uniquely intellectual people, so responsive, and eager for self-help.

Miss Wald's fascinating human document gives substantial proof of the accomplishment of the settlement in economic and social reform. Like Miss Addams, she has never been content with the idea of the settlement as a neighborhood house, a center of sweetness and light in the dreary tenement waste. Naturally, there is the splendid record of the work of clubs and classes, educational and dramatic organizations, summer homes and camps, made possible by the devotion of Miss Wald's supporters and helpers, who have spared no expenditure of wealth and personal service; and the precious end has been the safeguarding and directing of youth, and the interpretation of America to the adult immigrant.

But Miss Wald's vision has been wider. She has ever seen the larger need of socializing the adjustments and experiments which she has made, the immense gain of multiplying her achievement by enlisting school and state in social service. For instance, the Settlement had its humble beginning—Miss Wald tells us—in the desire to bring nursing-care to the poor; this practical aim gave her service the assurance of immediate civic worth. We learn how the way was gradually opened for the incorporation of the nursing work in the schools of the city, effecting an epoch-making advance in public health administration.

So The Nurses Settlement, under Miss Wald, became the center of movements which fostered the extension of civic functions in education and recreation. Her vigorous leadership aided the organization of the garment trade workers, especially the Jewish girls, and helped to achieve that unique experiment in industry, The Joint Board of Sanitary Control. Her interest extended to political reform and to state innovations such as The Factory Investigating Commission and The Bureau of Industry and Immigration, which sought the protection of the woman-worker and the immigrant. The establishment of the Federal Childrens' Bureau, we learn was in no small measure due to her persistent effort. Even a cursory perusal of the book cannot but impress the reader with the record of



social achievement by *The House on Henry Street*, a record of which both Miss Wald and the city of New York may be justly proud.

FRANCIS TYSON,

*University of Pittsburgh,*

#### POLITICAL AND GOVERNMENTAL PROBLEMS

BEMAN, LAMAR T. (Compiled by). *Selected Articles on Prohibition of the Liquor Traffic*. Pp. liv, 168. Price, \$1.00. White Plains: The H. W. Wilson Company, 1915.

BURGESS, JOHN W. *The Reconciliation of Government with Liberty*. Pp. xix, 394. Price, \$2.50. New York: Charles Scribner's Sons, 1915.

In this book Professor Burgess considers the fundamental problem of political science, the adjustment of authority and freedom, whose extremes, despotism and anarchy are equally undesirable, and traces throughout the historical development of the state the various methods by which the solution of this problem has been attempted. Asia, which contributed the world's religions, made little contribution to politics, the Mohammedan states, which contain the most promising elements, excluding non-Mohammedans from equal rights. Traces of legal protection for individual liberties are found in Greece and Rome, the Ephors and Tribunes acting as conservators of custom against arbitrary governmental encroachment. No guarantee of personal liberty is found in the much-praised system of the early Teutons. Their contribution is stated to be along the line of political rights, the share of individuals in governing authority.

The church is praised, perhaps unduly, for standing throughout the greater part of history as the protector of individual rights, although the fact is pointed out that the church, like other devices which at first served to check the government, later became a part of the government and thus lost its original function of checking arbitrary authority. The Reformation, favoring monarchy at first, as the national monarchs assumed church headship, later helped liberty through its philosophy of individualism. On the other hand, the spirit of the Renaissance led to anarchy, going too far in its reaction against authority. On this basis a generalization is made concerning the rational nature of the democratic revolutions in England and Germany, under the guidance of the theory of Reformation freedom, and the radical revolutions in France and Italy under the theory of Renaissance freedom. The outcome of these revolutions, the supremacy of representative legislatures, while extending political rights to many, left the government unchecked and supreme; and in the opinion of the author all-powerful legislatures are potentially more dangerous than the monarchs which they displaced.

The great danger, therefore, in the states of modern Europe is the legislature, especially where one of the two chambers becomes predominant. This breaks down the separation of powers existing in bi-cameral equality and, by means of the Cabinet system, subordinates the executive and prevents the checks and balances which indirectly safeguard liberty. For a satisfactory adjustment of

authority and freedom, the author demands the following factors: "the organized continuing sovereignty back of, separate from, and supreme over the government, the full declaration of the constitutional immunities of the individual against all governmental power, the balance of the governmental machinery in so far as to prevent autocracy on the one side or parliamentary absolutism on the other, and the constitutional judiciary, permanent and non-political, and vested with the power to protect the individual against governmental encroachments." Switzerland alone, with its popular referendum on constitutional amendments, properly distinguishes between state and government, and organizes the former for the guarantee of civil rights. In South America, Argentina alone has the constitutional machinery for safeguarding civil freedom, and is called "the light and hope of South America." The United States, while falling behind Switzerland in its failure to provide for popular constitution-amending, is otherwise most advanced in its public law. Its constitution is not amended by the ordinary government, a Bill of Rights is found in the Constitution, an independent judiciary protects individual liberties, and extensive checks and balances prevent the undue strength of any governmental organ.

Several recent tendencies in American politics give the author much concern and seem to him to be dangerous encroachments on freedom. Among these are the decisions of the Supreme Court in the Insular Cases, by which it was reasoned that the provisions of the Constitution do not extend over our dependencies, the Income Tax amendment, which gives Congress a dangerous power of unlimited taxation, the initiative, referendum, and recall, which seem to break down the author's theory of a sovereign people distinct from the government, and the general increase of paternalistic governmental activities.

While this book is a valuable and suggestive study, one cannot but resent the author's far-fetched historical interpretations, and especially the constant attention to the formal legal organization of the state rather than to the way in which its system actually works. A book that praises the civil liberty of Bulgaria or Venezuela and condemns that of England, because of the nature of technical constitutional provisions, loses sight of the spirit that determines the actual nature of states. The writer also disagrees with the author concerning the location of sovereignty and has never been able to find any sovereign organized behind the government. To the writer the organ that amends the constitution is always a part of the government, and nothing more, having that specific function to perform and no further power. Sovereignty is, therefore, exercised by all the organs that share in expressing the state's will, including electorate and Constitution-amending body, and no organization of the state behind the government is possible. The statement that the organ which amends the constitution should not govern, and that which guarantees civil liberty should not ordinarily make or administer law is, however, sound political science. The expression "two-thirds" (p. 300) should obviously read "three-fourths."

RAYMOND G. GETTELL.

*Amherst College.*

COKER, FRANCIS WILLIAM. *Readings in Political Philosophy*. Pp. xv, 573. Price, \$2.25. New York: The Macmillan Company.

This book gives practically 600 pages of excerpts from the readings of the following political theorists: Plato, Aristotle, Polybius, St. Thomas Aquinas, Dante, Marsiglio, Machiavelli, Calvin, Vindiciae Contra Tyrannos, Bodin, Hooker, Grotius, Milton, Hobbes, Harrington, Locke, Montesquieu, Rousseau, Paine, and Bentham. The excerpts are along the lines on which governmental matters have been traditionally discussed. In a brief introductory note preceding each selection Mr. Coker states in concise form the leading facts as to the life of the author and indicates what he regards as the author's important contributions to the development of political theory. Following each selection is a citation of works in which the author and his theories are discussed. These select references as a rule are well chosen. There is a fair index. In his general bibliography the author gives the texts and editions from which he selected the readings and a list of critical and historical works.

C. L. K.

GARRAUD, R. *Traité Théorique et Pratique du Droit Pénal Français*. (2 vols.) Pp. ii, 1664. Price, 12 fr. ea. Paris: Librairie de la Société du Recueil Sirey.

HILL, DAVID JAYNE. *The People's Government*. Pp. xiv, 286. Price, \$1.25. New York: D. Appleton and Company, 1915.

"Beginning with the state as the embodiment of force," the author's purpose, as stated by himself, is to "trace its development as a human ideal. Long dominated by law regarded as a sovereign decree, this conception has been, in some parts of the earth at least, superseded by the idea of law as a mutual obligation. We shall witness the apparition of a wholly new phenomenon, the citizen—the self-conscious and responsible constituent of the state—no longer mutely receiving commands from a being of a different order, to whom he stands in the relation of a subject; but as law-maker, himself voluntarily determining the limits to which law may extend, and, as subject to law, accepting and respecting the principles which he himself has adopted. And thus we shall find, it is hoped, in the citizen the solution of the problem of human government, and also of the coördination of human governments in the world organization of humanity; for human rights are not the gift of governments, and governments need to be so organized as to furnish a complete security and guarantee for human rights. Upon this basis, and upon this basis alone, is it possible for all governments to submit their own conduct also to the rule of law."

As historian and diplomat Dr. Hill drew upon large and scholarly resources for the illustration of these theses. His style is clear and devoid of sensationalism, but the space which he allotted to himself permits only the most general discussion of many controversial points. In his attitude toward our recent radicalism one is reminded strongly of President Nicholas Murray Butler's *Why Should We Change Our Form of Government?* Social justice legislation would not seem to be so inherently anti-constitutional as Dr. Hill assumes, nor does his characteriza-

tion of its advocates (as for example on p. 218) impress one as altogether fair. On the other hand, the reader finds himself devoutly wishing that the author might expand the application of his principles to international relations into a volume at least as large as *The People's Government*.

R. C. B.

HOLT, LUCIUS HUDSON. *An Introduction to the Study of Government*. Pp. x, 388. Price, \$2.00. New York: The Macmillan Company, 1915.

This book is based upon literature long extant and contributes no particular point of view. As a rule, the facts submitted are accurate but the conclusions and judgment throughout the text are uninformed or relatively useless. Thus the author states that: "The constitutions of the leading states in the world today have been drawn with the essential truth of the theory of the separation of powers in mind." Again on this same page (37): "Government today in democratic states, whatever its historical origin may have been, is practically a mutual contract between the people and their governors, and exists under such recognized conditions that political tyranny has become an anachronism." The author divides the functions of government into two classes: the necessary (or essential) and the optional (or unessential). Among the latter are included public works, public education, public charity, industrial regulation and public safety regulation. There are three necessary functions of government: financial, civil and military. "The military function of the government was the original, and is still the chief function of the government."

C. L. K.

MUNRO, WILLIAM BENNETT. *A Bibliography of Municipal Government in the United States*. Pp. xiii, 472. Price, \$2.50. Cambridge: Harvard University Press, 1915.

Dr. Munro has made every student of municipal government his debtor. For many years the lack of anything approaching an adequate bibliography of municipal affairs has been a serious handicap to the systematic study of municipal problems. Since the publication of the excellent bibliography by Professor Brooks nineteen years ago, a great mass of literature relating to municipal progress has appeared. This material has been carefully systematized by Professor Munro and, as a result, students of municipal affairs are now in possession of a bibliography which will be an invaluable aid to special investigations. Furthermore, this bibliography will be of very great service to the average citizen interested in municipal affairs. Whatever may be the subject in which he is interested, he will have ready reference to the most valuable and trustworthy material. The author has shown rare judgment in discriminating between the important and the unimportant publications relating to municipal affairs. This work should be placed in a prominent position in every public library for the purpose of stimulating citizen inquiry into municipal problems.

L. S. R.

STONE, HARLAN F. *Law and Its Administration*. Pp. vii, 232. Price, \$1.50. New York: Columbia University Press, 1915.

It is a hackneyed formula of reviewers to state that a book ought to be in the hands of every citizen who is alive to the duties and the powers of his citizenship, but this statement so well applies to Dr. Stone's recent work that one cannot forbear using it. Amidst the welter of new works devoted to current problems, most of which either aim to attract attention by startling the reader with sensational views or else display a narrow, partisan spirit and a blind passion for some pet theory, it is a welcome relief to find in Dr. Stone's work a sane, impartial treatment of a subject which is usually approached with prejudice or prepossession.

The eight lectures which make up Dr. Stone's book were delivered at Columbia University. They are written in an easy, flowing style, and are well adapted to the ordinary layman's understanding. Nevertheless, they deal satisfactorily with many of the most important problems in the administration of the law, besides giving a clear general outline of its history. It requires no little experience and ability to give a technical subject such a simple, thorough presentation as is found in these lectures.

Many false notions regarding the law and its administration which have gained currency through the muck-raking press receive a calm, well reasoned refutation in Dr. Stone's work. It forms a notable contribution to the popular literature on the subject.

J. J. S.

#### INTERNATIONAL QUESTIONS

CLAPP, EDWIN J. *Economic Aspects of the War*. Pp. xiv, 340. Price, \$1.50. New Haven: Yale University Press, 1915.

As is indicated by its title, this volume by Professor Clapp of New York University concerns itself solely with the economic phases of the European war. It contains a forceful statement of how "the international lawlessness" of the belligerents is affecting the commerce and industry of the United States. "From the very beginning this war went beyond the limit of military and naval actions. It became an 'economic war'; namely, a process of interrupting the flow of commerce between neutrals and belligerents and even between neutrals themselves. The purpose was to deprive the interrupted belligerents of necessities of military material and civil life and so bring upon the enemy nation 'pressure' sufficient to end the war."

Professor Clapp shows in detail how the international rights of the United States have been repeatedly violated throughout this economic warfare. He outlines categorically how the various orders in council of Great Britain gradually increased the list of self-defined contraband goods, and how these orders as well as the so-called "blockade" of Germany finally ended the trade between the United States and Germany in non-contraband as well as contraband goods, and also interrupted trade between the United States and the neutral countries of Europe. He bases his views as to what manner of trade may legally be conducted largely upon the Declaration of London; yet much of the evidence pre-



sented by him is equally effective when viewed in the light of the notes of protest which the State Department has forwarded to the British government. Since August, 1915, when the book was written, other occurrences have taken place but these tend to strengthen rather than to weaken the story of economic lawlessness which began early in the war.

The book contains specific chapters on the various orders in council, the Wilhelmina case, the "blockade," trade in cotton, copper and breadstuffs, the practicability of starving Germany, and the import and export situation. The grouping of exports into eight groups—(1) munitions, (2) materials for making munitions, (3) war supplies, (4) textiles, (5) hides, leather and footwear, (6) foodstuffs, (7) forage, and (8) all other exports—shows in an effective manner how the country's increase in exports during the first part of the war, was based upon a war demand.

The remedy which is suggested by the author is the effective use of the economic power which the war orders of the belligerents give to the United States. While stating that "the German government cannot well call upon either international law or its own practices to contest our right to ship arms to belligerent nations," he regards a temporary embargo as an effective remedy for the manner in which the economic rights of the United States have been systematically denied by Great Britain. "Neither Great Britain nor any other nation of the world could blame us if we laid an embargo upon the exportation of arms for the purpose of enforcing our right to trade unhindered with Germany and the neutral nations of Europe in all but contraband (as defined in a reasonable contraband list) with German destination. Our rights and the rights of neutral nations are that international law be observed, international law as codified and recognized by civilized people in the Declaration of London. Now in the middle of the conflict there is no time to frame a new code. The Allies have placed with us somewhere between \$500,000,000 and \$1,000,000,000 of arms and equipment orders. That is the precise measure of the power which we have over them. If the United States had set out in October to secure a means to force belligerents to return to the realm of international law it could not have proceeded more wisely than to publish its October 15th proclamation assuring this country and others of the legitimacy of our arms trade."

GROVER G. HUEBNER.

*University of Pennsylvania.*

DAWSON, WILLIAM H. *Municipal Life and Government in Germany.* Pp. xvi, 507. Price, \$3.75. New York: Longmans, Green & Company.

"Germany has given her municipalities that freedom of life and action that stamps them unmistakably the most progressive in the world. Of 329 salaried officials belonging to these ranks (mayors and salaried members of the magistracy) in 33 large towns of Germany in 1911, 235 were jurists, 54 technical experts, 22 philologists, 3 doctors, 3 political economists, and 12 other men with some other special training." The causes of the type of city government described by Mr. Dawson in the first quotation are probably to be found very largely in the second quotation. The first quotation is typi-

cal of the spirit and sympathetic criticism with which this able English author has examined municipal life and government in Germany; the second is typical of the care with which he has done his work. The volume redounds with valuable material, interlocked with judgments based on a thoroughgoing knowledge and appreciation of municipal institutions in Germany. The book is quite up to the high standards set by the author in his *Evolution of Modern Germany*.

Within the pages of the book are discussed the tradition of self-government, administrative powers of the city, the constitution of the town councils, the distribution of administrative powers, town planning, housing policies, public health, trading enterprises, poor relief, social welfare work, intellectual life, municipal finance, municipal income and expenditures and taxation, with a final chapter giving a survey and comparison, the comparison being essentially with English cities.

One of the observations in the closing paragraphs is that there is a growing belief on the part of municipal workers in England "who have seen the German system in practice that we shall before long be driven by the force of circumstances to adopt some such arrangement as that of the permanent mayor and executive." It is also noted that English cities are beginning to copy "German example in town planning," the author adding: "but we are at a great disadvantage in so doing, for the mischief resulting from the past unsystematic and haphazard development of our urban areas is to a large extent irreparable."

This sympathetic study of German municipal institutions by an eminent English author, published just as the war was starting, should serve as a good corrective of the many misconceptions afloat about "German tyranny" and "autocracy."

CLYDE LYNDON KING.

*University of Pennsylvania.*

ELIOT, CHARLES W. *The Road Toward Peace*. Pp. xv, 228. Price, \$1.00. Boston: Houghton, Mifflin Company, 1915.

HUMPHREY, A. W. *International Socialism and the War*. Pp. vii, 167. Price, 3s. 6d. London: P. S. King and Son, 1915.

*The Road Toward Peace* is a loose compilation of addresses and letters produced at different times both before and after the outbreak of the European war. The earlier ones deal with a general consideration of the causes of war and the possible means of preventing it. The later ones take up the causes, issues, and possible outcome of the great war, as well as a discussion of America's duty in regard to it.

The author cites the famous "agreement of 1817" between Great Britain and the United States limiting armaments on the Great Lakes and suggests that along this line progress towards lessening European armaments, and hence European wars, might be made. Force, he says, must always remain an element in government, but should be reduced to policing force. He thinks that a court of arbitral justice should be founded to direct this policing force.

Mr. Eliot says that the prime source of the present war "is the desire on the part of Germany for world-empire"—a world-empire which was to be achieved

by force of arms—and the consequent cult of valor which glorified courage and ruthless will-power. Hence the predominance of militarism, and the inevitable outbreak of war.

The author makes the statement that "Austria-Hungary, even with the active aid of Germany and Turkey, cannot prevail in Serbia against the active or passive resistance of Serbia, Russia, Roumania, Greece, Italy, France and Great Britain." In the light of recent events, such a statement may cause one to be a bit dubious of Mr. Eliot's military opinions.

*International Socialism and the War* is a defense of the Socialists against the charge of apostasy, which has been made because they are fighting each other in the various armies of Europe. The author says that they were never wholly pacifists. The concept of nationality has always had a place in their idea. The Socialist doctrine was that the proletariat was to get control within the different national units; then war would cease, but nations would continue. The protection of the nation against aggression was not precluded by such a doctrine.

Mr. Humphrey shows in successive chapters on the German, Austrian, Italian, French, Russian, Belgian and British Socialists' attitude towards the war, that all worked untiringly for peace and that all of those that finally fell in with the war party did so upon the conviction that their various governments were waging a defensive war. He makes a very creditable effort to be fair in judging that the majority of German Socialists rallied to the government only because they were convinced that they were fighting a defensive war against Russia. The Russian Socialists have never supported their government; the French and Belgians only after distinctly declaring that they had no quarrel with their German brothers and that they were fighting only against the aggression of despotic governments. In England, he claims, that Socialist opinion wished British neutrality. Although the majority of the Labor Party is now supporting the government in its efforts at recruiting and has adopted the government statement that the violation of Belgian neutrality was the cause of British entry into the war, there is a strong minority which denies the latter and discourages the former.

It is interesting to compare the Socialist Peace Proposals suggested in Humphrey's book with those which Mr. Eliot desires. The Socialists want (1) national divisions to determine frontiers of states, (2) self-government to be granted to subject peoples, if a plebiscite shows that they prefer suzerainty to complete independence, (3) balance of power policy to be superseded by that of a Concert of Europe, (4) parliaments to have a real control of foreign policy, (5) reduction of armaments, and (6) foreign policy to have as its ideal a United States of Europe with all seas neutral and navies supplanted by an international police. Mr. Eliot says: "There can be no secure peace in Europe until a federation of the European states is established." He urges an international police backing up the decrees of an international tribunal and an ultimate reduction of armament. He also says that the war has already demonstrated "the inexpediency of artificially dividing such (national) units or of forcing national units into unnatural associations." In another place he says the world will rejoice when British control of the seas "is replaced by an unlimited international control" and he urges that canals and straits be made neutral. He would have secret diplomacy abolished, treaties publicly discussed and sanctioned. Thus it is clear that,

although he has nowhere formulated his ideas, Mr. Eliot is in essential accord with the Socialist platform.

PAUL LAMBERT WHITE.

*Fellow, University of Pennsylvania.*

HAUSRATH, ADOLF. *Treitschke: His Doctrine of German Destiny and of International Relations*. Pp. xi, 332. Price, \$1.50. New York: G. P. Putnam's Sons.

Nearly the first half of this perhaps most interesting interpretation of Treitschke accessible in English is given to a very sympathetic account of his life and work by his close friend Adolf Hausrath. In this translation the influence of the man on the political conceptions and ambitions of modern Germany is shown with a force and clearness unequalled by any of the attempted expositions that have so far come from Englishmen. The selected discussions by Treitschke, comprising the second half of the volume, disclose his now well known philosophy on war, a national army, international law, freedom, German colonization, Germany's attitude toward neutral states, and other topics, with a remarkable present day significance.

J. C. B.

STOWELL, ELLERY C. *The Diplomacy of the War of 1914*. Pp. xvii, 728. Price, \$5.00. (First vol.) Boston: Houghton, Mifflin Company, 1915.

Dr. Stowell has attempted a very difficult piece of work and carried it through with striking success. The body of the volume is devoted to an analysis of the official documents issued by the belligerent governments, which by a system of modified quotations the author has been enabled to weave into his text, thus adding greatly to the force and vividness of the narrative. In tracing the successive stages of the negotiations some repetition was necessary, and at times the logical rather than the chronological order is followed, but those who have attempted to thread their way unaided through the labyrinth of documents will count this a virtue rather than a fault.

But the signal achievement of the author lies in the judicial impartiality with which he has handled the questions upon which there has been such heated conflict of opinion. The circumstances leading to the mobilization of Russian troops and the consequent ultimatum from Germany, which were the immediate causes of the war, are viewed from every angle; it is conceded that Russia after much patience threw away the last chance of peace by her premature mobilization, while Germany is shown to have risked the peace of Europe by backing her ally in an act of aggression upon Serbia. The entrance of Great Britain into the conflict and the German plea of necessity as justifying the violation of the neutrality of Belgium are treated with similar exactness and impartiality. The value of the volume is increased by a brief review of European history in the opening chapter and by a wide range of documentary evidence in the form of pertinent treaties and illustrative extracts from writings and speeches, as well as by a careful chronology in the appendix. Altogether Dr. Stowell has set a stand-

ard which will insure a welcome for the two succeeding volumes that are to deal with the diplomacy during the war and the negotiations attending its close.

C. G. FENWICK.

*Bryn Mawr.*

WAXWEILER, EMILE. *Belgium, Neutral and Loyal*. Pp. xi, 324. Price, \$1.25. New York: G. P. Putnam's Sons, 1915.

BIGELOW, POULTNEY. *Prussian Memories, 1864-1914*. Pp. xiii, 197. Price, \$1.25. New York: G. P. Putnam's Sons, 1915.

It is perhaps too much to expect that out of the mass of literature resulting from the European war we should at this stage of the catastrophe find any single work with an impartial view; but, among the partisan accounts there is a difference, and we can call attention to the best and fairest views. To this class belongs the work by Professor Waxweiler. With a view to enlightening events in Belgium from August 2 to December 1914, the author shows how the "permanent neutrality" of Belgium was created and what problems Belgium faced at the outbreak of the war. He defends the position of Belgium taken during the war, discredits German imputations of Belgian disloyalty, and describes the German rules of war and their application to Belgium. While avowedly a vindication of his fatherland, the work throughout bears evidence of an honest attempt to discuss the issues fairly.

So much cannot be said for Mr. Bigelow's volume; it is written in a captious spirit, and the twenty chapters which comprise the book contain little, if any, solid information. In all of his memories and in his wide range of experience the author sees but little virtue in any German individual or institution. So far as there is any purpose to the volume, it is to portray the Germans in the worst possible light and to exhort the United States to prepare against the German invasion. Containing no important information, and inciting race hatred, it is to be hoped that this masterpiece of garrulity and discursiveness will have few readers.

K. F. G.

*Oberlin, Ohio.*

WILSON, GEORGE G. *The Hague Arbitration Cases*. Pp. x, 525. Price, \$3.50. Boston: Ginn and Company, 1915.

It would be difficult to imagine a more appropriate time for the publication of this important collection of cases. The European conflict has created the impression that the system of international law has broken down, and that chaos has taken the place of order and settled rule. An impression so erroneous cannot but do great harm in undermining faith in law and order. In this work Professor Wilson has compiled the decisions in the fifteen important cases presented to the Tribunal of Arbitration of the Hague since its establishment in 1899. While the author has not included the arguments of counsel, he has given the terms of submission of each case together with the decision of the tribunal, furnishing a complete history of the case, and a full exposition of the principles governing the decision. This volume shows probably more clearly than any publication



that has appeared in recent years not only the possibilities of international arbitration, but the real achievement of the past seventeen years. The record is one that may well strengthen the faith of those who believe that the judicial settlement of international disputes must supplant our present plan, if civilization is to be preserved. The value of Professor Wilson's volume is greatly increased by the publication of an appendix containing the Hague Arbitration Conventions of 1899 and 1907.

L. S. R.

#### MISCELLANEOUS

CUNNINGHAM, WILLIAM. *Christianity and Politics*. Pp. xi, 270. Price, \$1.50. Boston: Houghton Mifflin Company, 1915.

In this work, the Lowell Lectures for 1914, the Archdeacon of Ely sketches the influence of Christianity on politics in England from the Reformation to the present. The book is learned and dignified; the style clear though monotonous to the point of dullness; the faults are those inseparable from the attitude of an orthodox and loyal prelate of the Church of England. The two chapters on the Presbyterians and Independents give an utterly inadequate treatment of Calvinism. John Wesley and Methodism receive barely three pages. The constant emphasis of the Church as the mouthpiece of England's beneficent rule, the dutiful provider of divine sanctions for a "naval greatness" that "holds such a place in the designs of Providence" makes one wonder whether the Christian God of Providence has not degenerated into a Pitt or a Palmerston writ large. The fundamental thesis of the book is hardly convincing. It is that government with its obligations "is for the most part indifferent to religion" (p. 219, see pp. 124, 229f). Christianity cannot "lay down principles. . . . applicable to the circumstances of any community, at the precise stage of development which it has reached" (p. 5). Its appeal is personal (p. 6), and "it is by consciously endeavoring to foster the sense of personal obligation that the Church can best coöperate with the State" (p. 240). The political and social reformer may contend that if religious loyalties have no more direct or vital relation with actual life than this implies they can very well be neglected entirely. Mr. Lloyd George, whom the author quotes only to repudiate (p. 190ff), is far nearer the truth when he says: "The Churches of Christ in this land guide, control and direct the conscience of the community."

JNO. M. MECKLIN.

*University of Pittsburgh.*

GRAS, NORMAN S. B. *The Evolution of the English Corn Market*. Pp. xiii, 498. Price, \$2.50. Cambridge: Harvard University Press, 1915.

This study of the English Corn Market was designed to afford a basis for a more adequate analysis of economic growth. Careful students long have been aware of the inaccuracy of the descriptions of medieval organization in terms of village and town economics that were presumed to be "isolated" and "self-sufficing." Dr. Gras shows conclusively that such conditions never prevailed in England. The manors were grouped even in the earliest period, and entered

into many relations with the outside world. By the middle of the thirteenth century production for a market was common; produce was sold either in a manor belonging to the same lord or in a nearby town. The latter connection was more important and ultimately prevailed, entailing the abandonment of the more characteristic features of the manorial system.

After the decay of the manor, notable groupings of towns and villages in territorial areas developed. These arrangements are traced in price statistics. Finally, London began to acquire preponderant influence as a metropolis. The process of integration is traced in price statistics, derived largely from Thorold Rogers but with some additional material and an entirely different system of presentation. There are chapters on municipal granaries, on middlemen, and on the general regulation of imports and exports, all of which add considerably to our knowledge.

The analysis of the local market is less satisfactory than any other part of this study. It may be that the sources do not afford much evidence of the precise nature of the relations of markets to each other, but Dr. Gras attaches more significance to averages of prices than one can properly assume. The existence of a rough correspondence in price level in a particular region may be due to systematic trading or to similar conditions of culture and production. The phrase "territorial area" does not exactly describe these early conditions. Early market systems were so irregular in form and their influence so restricted that descriptions in terms of territorial area are hardly adequate.

ABBOTT PAYSON USHER.

Cornell University.

HOWE, FREDERIC C. *Socialized Germany*. Pp. x, 342. Price, \$1.50. New York: Charles Scribner's Sons, 1915.

If one is in quest of the real meaning of *Kultur*, let him turn to this timely and interesting book of the United States Commissioner of Immigration. The reader quickly perceives that those who object to spelling *Kultur* with a *K* are silenced unless they coin some new word to take its place, for the English language has as yet no word that is its equivalent. "Kultur is not limited to educational and aesthetic things. Kultur includes history and traditions, politics, statecraft, and administration; it includes state socialism, social legislation, the conservation of human life, and the promotion of the well-being of the people. All of the individual and collective contributions which Germany has made to the world form part of Kultur as the German understands the word."

The book is not, as the author states, an *apologia pro Germania* but rather an attempt to understand the nature of the forces that have been at work by which "an agricultural state, only emerging from eighteen century feudalism a half century ago," has been "raised to a position of commanding industrial, commercial, and agricultural importance." The author cites three influences of paramount importance, in the making of modern Germany: first, "the persistence even down to present times of the feudal idea of the state with its eighteen-century relation of classes;" second, "the complete ascendancy of two powerful individuals who have dominated the life of the nation for over fifty years" (Prince Bismarck and William II); and third, "education—an education which begins

with the cradle, that is compulsory, and is open even to the poorest, who are able to make their way through the secondary schools, the academies, technical colleges, and the university, if they have the ambition and the ability to do so." "All of these influences," in the author's judgment, "combined to make the mind of modern Germany what it is, to create a psychology quite different from that of two generations ago, quite different from that of any other nation in Europe."

The major part of the book presents a picture of how Germany is meeting its social and economic problems. Transportation, conservation of natural resources, unemployment, social insurance, education, sanitation and health, municipal socialism, town planning, etc., are each treated in turn.

The author is not blind to the fact that the German method of handling these problems, as efficient as that is, is not without faults, chief of which is a caste system which "runs through the very fibre of the state. . . . The individual child is educated for the station in life to which he is born" and he "is moulded by the state, to the state's idea of what is best for the state, and only incidentally what is best for the child." However, it is the author's belief that the defect of a caste system is not inherent. "The institutions which Germany has developed and the efficiency that has been achieved are in no way inconsistent with democracy." Even an ardent believer in Democracy wonders whether in making so unqualified a statement, the author has not let the wish be father to the thought. Whether or not Democracy and Efficiency now or may at some future stage of social evolution, go hand in hand, we are indebted to Commissioner Howe for a very readable and understanding account of the life of modern Germany. He has made one understand why the German loves his Fatherland, for, as he says, in summing up, "No other country has so greatly improved the well-being of so large a portion of the people." He has given us in this the real explanation of Germany's power, for it is this which lies back of her military achievements; it is this which explains her advance in trade, the growth in her over-seas commerce, and the rise of her merchant marine. This it is, as he says, that has "largely made Germany what she is, a menace and a model, a problem to statesmen of other countries, and a pathfinder in social reform."

FRANK D. WATSON.

*Haverford College.*

JORDAN, DAVID STARR and JORDAN, HARVEY ERNEST. *War's Aftermath*. Pp. xxxi, 103. Price, 75 cents. Boston: Houghton, Mifflin Company.

This inquiry into the eugenics of war as illustrated in a part of the theatre of the American Civil war and by the late wars in the Balkans is most suggestive and valuable as a preliminary study of an important topic. By an intensive investigation carried out in restricted and typical war areas, certain counties in Virginia and Georgia, the authors have attempted to reach somewhat definite conclusions on the social cost and biological consequences of the scourge of war in the regions studied. Whether results as to racial hurt are clear or not, the loss of one million efficient men, North and South, outweigh the estimated property loss of some five billions of dollars for each section.

J. C. B.

LAUT, AGNES C. *The Canadian Commonwealth*. Pp. 343. Price, \$1.50. Indianapolis: Bobbs-Merrill Company, 1915.

If one may judge by the appearance of recent articles and books relating to the history and government of Canada, the rejection of the reciprocity treaty has led the citizens of the United States to take a greater interest in Canadian affairs. This volume, prepared as one of the series on *Problems of the Nations*, gives a clear impression of the people, the political problems, and matters of interest relative to the Canadian commonwealth. The book is full of facts, statistics, and material gathered from government reports as well as from observations as a result of a first-hand study of conditions in every part of Canada. The style is somewhat informal and the treatment rather sketchy, but on the whole the author is to be commended for the preparation of a volume which is readable, entertaining, and highly instructive as to the motives, peculiarities, and the modern issues of interest to the Canadian people. Among the important chapters of the book are: National Consciousness, Americanization, Why Reciprocity Was Rejected, The Coming of the English, Foreigner and Oriental, What Panama Means, How Governed, The Life of the People, Immigration and Development, Defence, and Finding Herself.

C. G. H.

TAUSSIG, F. W. *Inventors and Money-Makers*. Pp. ix, 138. Price, \$1.00. New York: The Macmillan Company, 1915.

In connection with the celebration of the 150th anniversary of the founding of Brown University, Professor Taussig delivered a series of lectures in which he pointed out "the significance of certain human instincts for the purposes of economic analysis." These lectures now appear in book form under the title *Inventors and Money-Makers*.

This is an excellent study of the motivation of the gifted inventor and of the successful business man in capitalized industry. The first half of the book, devoted to the inventor, is keener in its analysis than that devoted to the money-maker, is more interestingly written, and abounds in well chosen illustrations from the lives of famous inventors. The tendency or instinct to invent, for which the author adopts McDougall's term "contrivance," is more or less generally present in all human beings, but is especially developed in the inventive genius. It is far less specific than the dam-building instinct of the beaver or the nest-building instinct of the robin, often leading to results which have no economic value or scientific interest. This instinct is fostered in the workman who uses tools to manufacture a finished article from raw material, but tends to become submerged in the workman who merely feeds the raw material into an automatic machine. The latter may do his work very efficiently, but there is little or no premium upon intelligence, and his specialized share in the industrial process is likely to become monotonous drudgery because there is no play for this instinct of contrivance.

The "money-maker," on the other hand, who is intelligent enough to use the efficiency of the highly trained workman in specialized industry, not only has opportunity for the full play of his own instinct of contrivance, but also finds

his motivation in those instincts to which the terms "acquisition," "domination," "emulation" and "altruism" have been applied. It is to be regretted that the author does not make more use in this connection of the word "competition," since this term is common both to economics and to psychology, including what he prefers to call the "instinct of domination" as well as the primitive instinct of pugnacity, and to some extent, the instincts of play and emulation.

The money-maker fares well in the author's analysis and is given credit for a spirit of altruistic devotion as well as the desire for domination and social emulation. His desire for acquisition is only incidental to these other tendencies. Practically no reference is made to the play of sex instincts, nor is any attempt made to analyze any of these general tendencies of human behavior into terms of this primitive and socially fundamental motivation. Even in dealing with the instinct of contrivance his analysis is too restricted. Though he speaks of this tendency in the money-maker, his discussion of it centers about the originator of mechanical devices, industrial processes, and the like, whereas he should at least point out that the man who, like Newton, formulates new statements of physical law or the chess expert who contributes a new problem each week to a Sunday magazine are both examples of this same tendency. It is not the inventor alone who contrives. So may also the artist, the prophet, or the scientist.

FRANCES N. MAXFIELD.

*University of Pennsylvania.*

THAYER, WILLIAM ROSCOE. *The Life and Letters of John Hay*. (2 vols.) Pp. x, 904. Price, \$5.00. Boston: Houghton, Mifflin Company, 1915.

These two volumes upon the *Life and Letters of John Hay* are intended by the author to be "a personal biography and not a political history." The task which the author set himself was "to let John Hay tell his own story wherever this was possible," and at the end of volume two Mr. Thayer states that Mr. Hay "has truly described himself." In carrying out this purpose the author has devoted a large share, probably more than half, of the space to Hay's letters. This plan has much to commend it, because of the charm of the letters, and, indeed of everything that Mr. Hay wrote; but the result is an incomplete and fragmentary biography. Some periods of Hay's life, notably the years from 1888 to 1895, are hardly considered at all, nor does the reader obtain a satisfactory account of Mr. Hay's activities from 1872 to 1888.

While Mr. Thayer has not written a political history, he has passed judgment upon numerous public men, and in the judgment thus passed, the author shows a strong bias. Nearly all of the numerous references to Horace Greeley, Whitelaw Reid, Mark Hanna and Mr. McKinley are disparaging in tone. One feels that the author has gone out of his way to express his feeling in regard to the work of these men. There was no especial occasion in writing the life of John Hay for the author to give an estimate of the work and character of other men conspicuous in public life. Colonel Roosevelt's personality and his great work as President secure the author's highest praise, and, very properly, a full account is given of the friendship of Mr. Hay and Colonel Roosevelt and of their cooperation in handling various important international questions.



On the whole, one gets from the two books a clear impression of Mr. Hay as a man of versatility and of strong character, one who accomplished a really great work. Mr. Thayer seems to have been strongly impressed by the obligation he felt to present a true picture of the life and work of the subject of his biography, and the author was evidently from start to finish on his guard against undue laudation. In living up to this obligation, the author at times, doubtless unconsciously, has gone so far as to overstate Mr. Hay's limitations. Those who knew, appreciated and admired Mr. Hay must feel annoyed by some of Mr. Thayer's remarks, particularly regarding Mr. Hay's relations to the Senate. Unquestionably, Mr. Hay was disappointed by the refusal of the Senate to approve certain of his proposals, and it is also true that the action of the Senate in amending the first draft of the Hay-Pauncefote Treaty resulted in the final adoption of a better treaty than was first submitted to the Senate. The Senate assisted the Secretary of State in securing a more desirable treaty, just as on other occasions the Secretary of State was of the greatest assistance to the President and to the Senate.

It would have added to the value of the volumes had the author included a concluding chapter reviewing, summarizing and estimating the public services of the man who ranks among the three or four greatest Secretaries of State. On the whole, however, Mr. Thayer has done his work well. The volumes will take their place among the important biographies of American statesmen and will help the people of the United States to appreciate the work of John Hay.

EMORY R. JOHNSON.

*University of Pennsylvania.*

THOMPSON, ROBERT ELLIS. *The History of the Dwelling House and Its Future.* Pp. 172. Price, \$1.00. Philadelphia: J. B. Lippincott Company.

The greater portion of this little book deals with the evolution of present-day types of city dwellings. In explaining the development of the modern dwelling, the author has picked out certain movements which, in his judgment, are significant, and has treated these selected topics in an interpretative and popular manner. Thus, the reader is carried along without any effort on his part, his interest being sustained because of the absence of dates and technical details which might prove difficult reading.

After reviewing the development of artificial habitation from the caves of prehistoric times, the author devotes considerable space to an account of the introduction of the chimney in Normandy, leading up, in the later chapters, to the beginning of town houses and the gradual evolution of dwellings suitable for town life. Attention is also given to the introduction of street lighting, sewerage systems, public water supply, etc.

This sketchy, historical treatment covers two-thirds of the book. The last chapters are given up to a study of *The House of Today*, *The House That is to Be*, and *The Street of the Future*. This portion of the volume is disappointing. Many recent developments in city planning have evidently escaped the attention of the author, or did not fit in with his plan of treatment, for they are nowhere mentioned.

T. C.

REPORT OF THE BOARD OF DIRECTORS, YEAR ENDING  
DECEMBER 31, 1915, AMERICAN ACADEMY OF  
POLITICAL AND SOCIAL SCIENCE

I. REVIEW OF THE ACADEMY'S ACTIVITIES

The past year has demonstrated, as has never been demonstrated before, the importance of the national service which an organization such as the Academy is called upon to perform. In these moments of world conflict, when some of the most fundamental concepts of law and order seem hanging in the balance, it becomes the solemn duty of a national scientific organization, such as the Academy, to concentrate its efforts in maintaining the standards that make for advancing civilization. Organizations such as ours must hold up to the nation a picture of its permanent as distinguished from its petty and transient interests, and must assist in keeping before the people a high concept of the part which they are called upon to play in the conduct of the world's affairs.

It is but natural that the widespread interest of our members in the European conflict should have reflected itself both in the sessions held and in the volumes published during the year 1915. The task confronting our Editorial Council has been no easy one. Dr. King and his immediate associates have placed every member of the Academy under a deep debt of obligation for the very important services which they have rendered.

It is gratifying to know that in spite of the generally unsettled business conditions which prevailed during the greater part of 1915 the membership of the Academy has suffered but a slight loss.

We still face a problem which has been before the Board for some time, namely that of developing local Academy centers in various parts of the country. The demand for such centers is increasing with each year, but your Board has felt that the inauguration of such a plan would mean a totally different organization of the Academy, and that the Academy is not yet in a position to take such a step.

## II. PUBLICATIONS

During the year 1915 the Academy has published a series of volumes which have brought together the best thought of the country on the important problems with which these volumes deal:

January—Public Policies as to Municipal Utilities.

March—Readjustments in Taxation.

May—The American Industrial Opportunity.

July—America's Interests as Affected by the European War.

September—America's Interests after the European War.

November—Public Budgets.

## III. MEETINGS

During the year 1915 the Academy has held the following meetings:

March 20th—Common Sense in Prison Management.

April 30th-May 1st—(Nineteenth Annual Meeting) America's Interests as Affected by the European War.

October 28th—Police Administration of a Great City.

November 20th—International Relief in Time of War.

## IV. MEMBERSHIP

The membership of the Academy on the 31st of December, 1915, was 5,522, with a subscription list of 860. Of the 5,522 members, 1,219 are residents of Philadelphia, 4,071 are residents of the United States outside of Philadelphia, and 232 are foreign members. Of the 860 subscribers, 4 are from Philadelphia, 781 from the United States outside of Philadelphia, and 75 from foreign countries. Compared with the membership on the 31st of December, 1914 we find that in the Philadelphia membership there is a loss of 4, in the membership in the United States outside of Philadelphia, a loss of 9, and in the foreign membership a gain of 18, or a total loss of 5. In the subscription list there is a gain of 75 in the United States outside of Philadelphia, and a loss of 1 in the foreign subscriptions, making a total gain of 74. The total gain in the combined subscription and membership lists, therefore, is but 69.

During the year the Academy has lost through death 74 of its members, one of whom was a life member.

*Foreign*

Tong Kaison

<sup>1</sup> C. Wilkinson*Philadelphia*

Caldwell K. Biddle  
 W. Atlee Burpee  
 Henry E. Busch  
 Samuel Dickson  
 James Mapes Dodge  
 F. H. Duckwitz  
 Otto Eisenlohr  
 John P. Elkin  
 Joseph L. Greenwald  
 C. F. Huch

Donnel Hughes  
 Sophy Dallas Irwin  
 Katherine Kollock  
 George S. Ligget  
 A. Marquis  
 Benjamin Miller  
 Edward P. Moxey  
 M. Richards Muckle  
 Herman Wolf  
 Anna Yarnall

*Outside*

Charles F. Adams  
 J. W. Adams, Jr.  
 W. F. Allen  
 Luther S. Bent  
 James Bickbell  
 Samuel Barker  
 John Y. Boyd  
 J. H. Brock  
 Franklin P. Burch  
 John C. Clyde  
 Grace H. Dodge  
 Henry R. Emmerson  
 James C. Fargo  
 H. H. Foster  
 E. R. L. Gould  
 Paul Fuller  
 John C. Gray  
 J. K. P. Hall  
 D. R. Henderson  
 C. A. Hooper  
 Albert Lloyd Hopkins  
 R. S. Joron  
 C. A. Locke  
 H. B. Lord  
 Lee McClung  
 John Muir

W. R. Nelson  
 Alfred Noble  
 E. T. Parsons  
 Edward Bunnell Phelps  
 Albert Plaut  
 V. M. Porter  
 J. E. Quigley  
 Charles G. Rapp  
 Louis Rosenzweig  
 Clement W. Shoemaker  
 Charles E. Slocum  
 Alexander H. Small  
 Samuel G. Smith  
 Edith D. Steele  
 Edmund J. Steere  
 B. F. Thomas  
 J. S. Barbour Thompson  
 James P. Tolman  
 S. E. Vincent  
 Michael I. Weller  
 F. H. Wheelan  
 Peter White  
 Charles Whitney  
 Addison R. Wright  
 Abraham Gruber  
 Thomas D. Walsh

<sup>1</sup> Life member.

The death of these members has deprived the Academy of some very warm friends and enthusiastic workers.

During the year the Academy has lost by resignation 548 of its members and 39 subscribers, while 617 members and 113 new subscribers have been added to the list.

#### V. FINANCIAL CONDITION

The receipts and expenditures of the Academy for the fiscal year just ended are clearly set forth in the Treasurer's report. The accounts were submitted to Messrs. E. P. Moxey & Company for audit and a copy of their statement is herewith appended.

In order to lighten the burden of expense incident to the Annual Meeting a special fund amounting to \$1,165.00 was raised. The Board takes this opportunity to express its gratitude to the contributors to this fund.

#### CONCLUSION

Your Board desires again this year to impress upon the members of the Academy that the success and influence of our organization must in the last analysis be dependent on the interest and coöperation of the Academy members. There is evidently a tendency in certain quarters to regard the membership obligation as fully discharged with the payment of the annual membership fee. This is a point of view which the officers of the Academy have been steadily endeavoring to overcome. We can only make of the Academy the great national influence in the guidance of public opinion if every member will feel his and her responsibility for the Academy's welfare. It is true with each year we are securing in different parts of the country enthusiastic groups of members who are giving time and thought to the furtherance of the Academy's interests, and to them we desire to extend our deep and sincere appreciation. Your Board also desires to take the opportunity to express the special debt of gratitude to those men and women who have contributed to the publications of the Academy.



January 14th, 1916.

CHARLES J. RHOADS, ESQ., TREAS.,

*American Academy of Political and Social Science, Philadelphia, Pa.*

Dear Sir:—We herewith report that we have audited the books and accounts of the American Academy of Political and Social Science for its fiscal year ended December 31st, 1915.

We have prepared and submit herewith statement of Receipts and Disbursements during the above indicated period, together with statement of Assets as at December 31st, 1915.

The Receipts from all sources were verified by a comparison of the entries for same appearing in the Treasurer's Cash Book with the record of Bank Deposits and were found to be in accord therewith.

The Disbursements, as shown by the Cash Book, were supported by proper vouchers. These vouchers were in the form of cancelled paid checks or receipts for moneys expended. These were examined by us and verified the correctness of the payments made.

The Investment Securities listed in the Statement of Assets were examined by us and were found to be correct and in accord with the books.

As the result of our audit and examination we certify that the Statements submitted herewith are true and correct.

Yours respectfully,

EDWARD P. MOXEY & Co.,  
*Certified Public Accountants.*

Balance Cash on Hand January 1st, 1915. . . . . \$14,070.44

*Receipts*

Annual Subscriptions . . . . .	\$20,144.57	
Life Membership . . . . .	100.00	
Special Contributions . . . . .	1,165.00	
Subscriptions to Publications . . . . .	3,824.72	
Sales of Publications . . . . .	2,766.30	
Income from Investments . . . . .	3,875.00	
Interest on Deposits . . . . .	172.32	
Miscellaneous Receipts . . . . .	46.07	
		32,093.98
		<hr/> \$46,164.42

*Disbursements*

## Office Expense:

Office Salaries . . . . .	\$7,920.94	
Special Clerical Service . . . . .	63.00	
Supplies and Repairs . . . . .	545.30	
Stationery and Printing . . . . .	201.05	
Telephone and Telegraph . . . . .	65.68	
Postage . . . . .	482.23	
Freight, Express and Carfares . . . . .	15.06	
General Expenses . . . . .	80.08	
		<hr/>
		\$9,373.34

## Philadelphia Meetings:

Hall Rents . . . . .	\$310.00	
Stationery, Printing and Engraving . . . . .	827.76	
Clerical Services . . . . .	33.00	
Expenses of Speakers . . . . .	594.28	
Postage . . . . .	214.59	
Telephone and Telegraph . . . . .	63.03	
Carfare, Newspapers and Sundries . . . . .	5.20	
		<hr/>
		2,047.86

## Publicity Expense:

Pamphlets, Cards, Letters, Circulars and Advertising . . . . .	\$368.67	
Postage . . . . .	435.79	
Stationery . . . . .	391.25	
		<hr/>
		1,195.71

## Publication of Annals:

Printing . . . . .	\$9,718.27	
Reprints . . . . .	991.24	
Binding . . . . .	370.50	
Postage . . . . .	1,151.44	
Advertising . . . . .	47.50	
Stationery and Supplies . . . . .	444.21	
Carfare, Expressage and Sundries . . . . .	205.84	
Telephone and Telegraph . . . . .	62.58	
Storage and Insurance . . . . .	239.06	
		<hr/>
		13,230.64

Investments Purchased . . . . .	\$14,630.77	
Interest, Premiums, etc., on same . . . . .	92.00	
		<hr/>
		14,722.77

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\$40,570.32

Balance, December 31st, 1915 . . . . .	\$5,594.10
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## ASSETS

*Investments*

\$5,000.00	Baldwin Locomotive Works 1st Mtg. 5's, 1940, M. & N.....	\$4,975.00
10,000.00	Canadian Pacific Railway Equipment Trust 4½'s Ser. T, 1928, J. & J.....	9,701.25
5,000.00	Chesapeake & Ohio Railway Equipment Trust 4½'s Ser. H, 1922-1924, J. & D.....	4,929.52
5,000.00	Choctaw, Oklahoma & Gulf R.R. Co. Gen'l. 5's, 1919, J. & J.....	5,000.00
5,000.00	City of Macon, Ga. Water Works 4½'s, 1932, J. & J....	5,000.00
5,000.00	Lake Shore & Michigan Southern Ry. Co. Deb. 4's, 1928, M. & S.....	4,801.25
5,000.00	Lehigh Coal & Navigation Co. Coll. Trust 4½'s, 1930, M. & N.....	5,000.00
5,000.00	Lehigh Valley Transit Co. 1st Mtg. 4's, 1935, M. & S.	4,387.50
3,000.00	Market Street Elevated Passenger Ry. Co. 1st Mtg. 4's, 1955, M. & N.....	2,786.25
3,500.00	Mortgage Note, C. R. McFarland, Tampa, Fla. 3 yrs. at 6% dated Dec. 15th, 1909.....	3,500.00
5,000.00	New York and Erie Railway 2d Mtg. 5's, 1919, M. & S.	5,000.00
4,000.00	New York and Erie Railway 3d Mtg. 4½'s, 1923, M. & S.....	3,955.00
5,000.00	New York Central & Hudson River R.R. Deb. 4's, 1934, M. & N.....	4,640.00
3,000.00	Penna. & New York Canal & R.R. Co. Cons. Mtg. 4½'s, 1939, A. & O.....	3,000.00
3,000.00	Pittsburg, Bessemer & Lake Erie Cons. 1st Mtg. 5's, 1947, J. & J.....	3,000.00
3,000.00	St. Louis & Merchants Bridge Co. 1st Mtg. 6's, 1929, F. & A.....	3,000.00
3,000.00	St. Louis, Iron Mountain & Southern Ry. Gen'l. Mtg. Land Grant 5's, 1931, A. & O.....	3,000.00
5,000.00	West Chester Lighting Co. 1st Mtg. 5's, 1950, J. & D.	5,000.00
5,000.00	William Cramp Ship & Engine Bldg. Co. 1st Mtg. 5's, 1929, M. & S.....	5,000.00
		<hr/>
		\$85,675.77
Cash:		
	In Academy Office.....	\$200.00
	In Treasurer's Hands:	
	Centennial National Bank.....	200.00
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## INDEX

- Academic credit, necessity of, for practical work, 221-222.  
 — training, for public service, 222-224.
- Administration: essentials of efficiency in government, 78; importance of governor's position in, 30; law making and, 229-30; new science of, 224-225; of public affairs, efficient, 77; public demand for efficient, 77.
- ADMINISTRATION, SOME EFFICIENCY METHODS OF CITY. John Alder Dunaway, 89-102.
- ADMINISTRATION, STATE, INTERWORKINGS OF, AND DIRECT LEGISLATION. F. W. Coker, 122-133.
- Administrative departments, New York, 21.  
 — efficiency, effect of popular law making on, 131.
- ADMINISTRATIVE EFFICIENCY, THE INVISIBLE GOVERNMENT AND. Edgar Dawson, 11-30.
- Africa, South, government, 6-7.
- America: democracy, 198; foreign born women, 204-205.
- American cities, political conditions in, 227-231.  
 — institutions, fundamentals of, 56.
- Americanization, functions of government and society concerned with, 207.
- AMERICANIZATION, PROMOTING. Helen Varick Boswell, 204-209.
- Appropriations: military, 31; naval, 31; waterway, 46-47.
- Armies: Civil War, 34-36; civilian authority over, 33-34.
- Australia, government, 6-7.
- BEARD, CHARLES A. Training for Efficient Public Service, 215-226.
- BOSWELL, HELEN VARICK. Promoting Americanization, 204-209.
- British government, 2.
- Bruère, Henry, on pension system of New York City, 165-166.
- Budget: city manager, 234; democracy, 146; federal government, 82; provisions, 146.
- BUDGET, THE EXECUTIVE. C. H. Crennan, 146.
- Burton, Senator, on pork barrel legislation, 44.
- California: civil service laws, 68; selection of judges in, 192.
- Campaign expenses, Colorado, 74-75.
- Canada, government, 6-7.
- Check and balance system: England, 6; France, 6; United States, 2-8.
- CHECK AND BALANCE SYSTEM, THE, AND ITS REVERSION. Jacob Tanger, 1-10.
- CHILDREN'S CIVIC ACTIVITIES: NECESSARY FACTOR IN THE NEW CIVILIZATION. Wilson L. Gill, 197-203.
- CHILDS, RICHARD S. The Short Ballot Movement and Simplified Politics, 168-171.
- Cities: administration, 97; political conditions, 227-233.
- Citizens: associations of private, 136-137; military training, 40-41.
- Citizenship: 204; education, 198; responsibilities, 120; training for, 199-200.
- CITY ADMINISTRATION, SOME EFFICIENCY METHODS OF. John Alder Dunaway, 89-102.

- City manager, budget, 234.
- CIVIC ACTIVITIES, CHILDREN'S: NECESSARY FACTOR IN THE NEW CIVILIZATION. Wilson L. Gill, 197-203.
- Civil service: classification, 156; congressional legislation regarding, 70; evils, New York City, 156; history, 153; needs of, 162; patronage, 71-72; positions under, 154; problems in, 153, 155-156; publicity, 164; ratings, 159-161; rules, 147; standardization, 157.
- CIVIL SERVICE, OLD AND NEW PROBLEMS OF. Henry Moskowitz, 153-167.
- Civil Service Commission, announcement of, 66-67.
- — — commissions: appropriating authorities and, 157; independence of, 166-167; layoffs, reinstatements and removals, 164-165; progress of, 155; reconstruction of reports of, 226.
- — — laws: California, 68; Colorado, 68; Connecticut, 68; Illinois, 68; Kansas, 68; Louisiana, 68; Massachusetts, 68; New Jersey, 68; New York, 68; Ohio, 68; Wisconsin, 68.
- — — reform: argument for, 149; negative aspects of, 218-220; public policy and, 218; victory won by, 147-148.
- — — Reform League, the National, 150.
- — — War, armies of the, 34-36.
- CIVILIZATION, CHILDREN'S CIVIC ACTIVITIES: NECESSARY FACTOR IN THE NEW. Wilson L. Gill, 197-203.
- Coast defenses, policies for, 38-40.
- COKER, F. W. Interworkings of State Administration and Direct Legislation, 122-133.
- Colorado: campaign expenses, 74-75; civil service laws, 68; organized bar, 189.
- Commission government: 8-9, 85, 86, 135.
- Competition, 155.
- COMPETITIVE CLASSIFICATION, THE, OF PRESIDENTIAL POSTMASTERS. George T. Keyes, 147-152.
- Connecticut, civil service laws, 68.
- CONNELL, WILLIAM H. Public Works and Engineering Services on a Public Service Basis, 103-115.
- Constitution, provisions of the, 3-4.
- Contract work, records, 112.
- Coöperation, of urban universities with government, 164.
- Cost keeping records, 97-100.
- Counties, 117-121.
- COUNTY GOVERNMENT, THE MOVEMENT FOR RESPONSIBLE. H. S. Gilbertson, 116-121.
- CRENNAN, C. H. The Executive Budget, 146.
- Cuba, school republic in, 201.
- Customs, receipts 1914-15, 57.
- DAWSON, EDGAR. The Invisible Government and Administrative Efficiency, 11-30.
- DEFENSE, POLITICS AS A BARRIER TO AN ADEQUATE AND EFFICIENT SYSTEM OF NATIONAL. George Haven Putnam, 31-42.
- Democracy: budget as instrument of, 146; in America, 198; perfecting of, 227; the expert and, 217-218.
- DUNAWAY, JOHN ALLDER. Some Efficiency Methods of City Administration, 89-102.
- Education: citizenship, 198; women's clubs and, 206.
- Efficiency: city government, Philadelphia, 89; federal service, 148; fighting, 32, 34-35; government administration, 78; liberty and, 215-216; records, 156-162; responsibility, a means of securing, 78.
- EFFICIENCY, INCREASED, AS A RESULT OF INCREASED GOVERNMENTAL FUNCTIONS. Ralph E. George, 77-88.



- EFFICIENCY METHODS, SOME, OF CITY ADMINISTRATION. John Alder Dunaway, 89-102.
- EFFICIENT PUBLIC SERVICE, TRAINING FOR. Charles A. Beard, 215-226.
- EMERSON, GUY. Tariff Making by Log Rolling, 56-65.
- Employment, public, 153.
- Engineering services, highway work, 103-104.
- ENGINEERING SERVICES, PUBLIC WORKS AND, ON A PUBLIC SERVICE BASIS. William H. Connell, 103-115.
- England, check and balance system, 6.
- European war: cost, 210.
- Executive: 131, 230-231; authority, 10; in law making, 123-124; responsible, 233-234.
- EXECUTIVE BUDGET, THE. C. H. Crennan, 146.
- Expenditures: river and harbor, 54-55; War Department, 34.
- Experts, governmental work, 86.
- Federal government, 13, 232.
- service: efficiency of, 148; spoils in the, 66-68.
- France, check and balance system, 6.
- GEORGE, RALPH E. Increased Efficiency as a Result of Increased Governmental Functions, 77-88.
- Germany: administrative conditions in United States and, 216; fighting efficiency, 32; military enterprises of, 215.
- GILBERTSON, H. S. A Practical Guide to Responsible Government, 227-234.
- GILBERTSON, H. S. The Movement for Responsible County Government, 116-121.
- GILL, WILSON L. Children's Civic Activities: Necessary Factor in the New Civilization, 197-203.
- Government: activities, 84-85; British, 2; check and balance system, United States, 2-8; coöperation of urban universities with, 164; cost, 80-81; democratic, 168-169; departments, United States, 4; functions, 87; Montesquieu's theory of, 1; public service, 219-220; United States, 2-8.
- GOVERNMENT, A PRACTICAL GUIDE TO RESPONSIBLE. H. S. Gilbertson, 227-234.
- GOVERNMENTAL FUNCTIONS, INCREASED EFFICIENCY AS A RESULT OF INCREASED. Ralph E. George, 77-88.
- Governmental regulation, history of, 153.
- work, experts in, 86.
- Governor: 30, 125; appointment of, 14; direct legislation and, 123; New York, 11-12; public opinion and, 124.
- HARLEY, HERBERT. Taking Judges out of Politics, 184-196.
- Health, New York, 16-17, 138.
- HEALTH, PUBLIC, AND POLITICS. Edward A. Moree, 134-145.
- Illinois, civil service laws, 68.
- Income, 213.
- Industries: Americanization of foreign-born women and, 206-207; organized, 207; tariff, 57-58; variance, 208.
- Inefficiency: factors causing, 80; irresponsibility and, 227-228.
- Initiative and referendum: 126; effects, 179; Ohio, 126, 128.
- referendum and recall, adoption, 172.
- Inspectors, work, 93.
- Investments, waterway, 54-55.
- INVISIBLE GOVERNMENT, THE. Elihu Root, x-xiii.
- INVISIBLE GOVERNMENT, THE, AND ADMINISTRATIVE EFFICIENCY. Edgar Dawson, 11-30.

- JONES, CHESTER LLOYD. Spoils and the Party, 66-76.
- Judges: California, 192; election, 186-187, 191; partisanship, 190; reelection, 189-190; selection, 193; South Dakota, 192; work, 185.
- JUDGES, TAKING, OUT OF POLITICS. Herbert Harley, 184-196.
- Judicial position, steady effect of the, 186.
- power, deprivation of, 187-188.
- Judiciary, reformation of the, 196.
- Kansas, civil service laws, 68.
- KEYES, GEORGE T. The Competitive Classification of Presidential Postmasters, 147-152.
- Labor cost, 99-100.
- Land values, United States, 212.
- LAPP, JOHN A. Making Legislators Law Makers, 172-183.
- Laws, enforcement, 176.
- LAW MAKERS, MAKING LEGISLATORS. John A. Lapp, 172-183.
- Law making: administration and, 229-230; problems of, 174-175.
- Legislation: 172-176, 179; direct, 123-124, 130, 132-133; governor, 123, 125; machinery of, 176-178; merit system, 150-152; public building, 47-49; reforms, 180-183; special and local, 178.
- LEGISLATION, DIRECT, INTERWORKINGS OF STATE ADMINISTRATION AND. F. W. Coker, 122-133.
- Legislative authority, present system of, 10.
- drafting, 180-182.
- information, 179-180.
- leadership, need for, 122-123.
- Legislators: problems, 173; qualifications, 176-177.
- LEGISLATORS, MAKING, LAW MAKERS. John A. Lapp, 172-183.
- Legislatures: employees in, 177; executive leadership and, 131; purpose, 173; responsibility, 233; sessions, 177-178; state, 175-176; time limits, 182.
- Liberty, efficiency and, 215-216.
- Lindsey, Ben B., views of, on school republic, 201.
- LOG ROLLING, TARIFF MAKING BY. Guy Emerson, 56-65.
- Louisiana, civil service laws, 68.
- Massachusetts, civil service laws, 68.
- Merit system: establishment, 150-152; legislation, 151-152; pensions, 165-166; postmasters, 150.
- Military resources, control of, in United States, 31.
- MOREE, EDWARD A. Public Health and Politics, 134-145.
- MOSKOWITZ, HENRY. Old and New Problems of Civil Service, 153-167.
- Municipal Civil Service Commission, New York City, 158-159.
- force work, progress record for, 111.
- government, revolution in, 192-193.
- service, spoils in, 68-69.
- Nation, gross income, 213.
- National government, number of persons employed in executive branch of, 67.
- Naval board, reports of, 36-37.
- resources, control of, in United States, 31.
- Navy, effect of civilian authority over, 33-34.
- New Jersey, civil service laws, 68.
- New York: administrative departments, 21; appointment and removal in, 22-29; civil service, 68; department of public works, 15, 16; electorate, 22-29; employees, 13; governor, 11-12, 20; health, 138-140; party patronage, 28-29; political parties, 18-19; publicity, 141-144; State Charities Aid Association, 139.

- New York City: civil service, 156;  
Municipal Civil Service Commission,  
158-159; pensions, 165-166.
- Officers, responsibility, 116.
- Ohio: civil service laws, 68; initiative  
and referendum, 126, 128; workmen's  
compensation, 126.
- Oregon, publicity, 73-74.
- Partisan politics, elimination, 135.
- Partisanship, judges, 190.
- PARTY, SPOILS AND THE. Chester  
Lloyd Jones, 66-76.
- Party organization, control of, 149.
- Patronage: demand for, 72-76; party,  
in New York, xi-xi; system, 148.
- PATTEN, SIMON N. Taxation after  
the War, 210-214.
- Pensions: 49-56; benefits, 54; expendi-  
tures for, 49; merit system, 165-  
166; method of obtaining a, 51, New  
York City, 165-166.
- Pension legislation, the pork barrel in,  
52.
- Philadelphia, efficiency in city govern-  
ment of, 89.
- Planning boards: 109, 110; description,  
107-108; function, 113; public works  
department, 106-110.
- Political conditions, in American cities,  
227-231.  
— influence, effect of, on fighting  
efficiency, 34-35.  
— parties, New York, 18-19.
- Politicians, 134-135, 168.
- Politics: 149; competitive service, 148;  
meaning, 134.
- POLITICS AS A BARRIER TO AN ADE-  
QUATE AND EFFICIENT SYSTEM OF  
NATIONAL DEFENSE. George Haven  
Putnam, 31-42.
- POLITICS, PUBLIC HEALTH AND. Ed-  
ward A. Moree, 134-145.
- POLITICS, TAKING JUDGES OUT OF.  
Herbert Harley, 184-196.
- POLITICS, THE SHORT BALLOT MOVE-  
MENT AND SIMPLIFIED. Richard S.  
Childs, 168-171.
- Pork barrel: meaning, 43; pension leg-  
islation, 52; river and harbor legis-  
lation, 44-46.
- PORK BARREL, THE HIGH COST OF THE.  
Joseph E. Ransdell, 43-55.
- President, appointment and removal,  
11-12.
- Presidential postmasters: appointment,  
150; present system, 150; number, in  
United States, 149.
- PRESIDENTIAL POSTMASTERS, THE  
COMPETITIVE CLASSIFICATION OF.  
George T. Keyes, 147-152.
- Property, United States, 212.
- Public affairs, administration of, 77.  
— buildings, value of, 48.  
— opinion: 130, 136; focussing, 136-  
137, 139; governor and, 124.  
— policy: civil service reform, 218;  
sources of, 229.  
— service: academic and university  
training for, 220-226; government's  
attitude toward those entering, 219-  
220; publicity, 103-104; report of  
committee on training for, of Colum-  
bia University, 225-226; training for,  
162-164.
- PUBLIC SERVICE, TRAINING FOR EFFI-  
CIENT. Charles A. Beard, 215-226.
- PUBLIC SERVICE BASIS, PUBLIC WORKS  
AND ENGINEERING SERVICES ON A.  
William H. Connell, 103-115.
- Public work, new fields of, 136.  
— works: department of, in New  
York, 16; duties of department of, in  
New York, 15; management of, in  
New York, 15; means of simplifying  
control of departments of, 106-110;  
monthly averages in department of,  
94; planning boards in department of,  
106-110.
- PUBLIC WORKS AND ENGINEERING  
SERVICES ON A PUBLIC SERVICE  
BASIS. William H. Connell, 103-  
115.

- Publicity; 140; New York, 141-144; public service, 103.
- PUTNAM, GEORGE HAVEN. *Politics as a Barrier to an Adequate and Efficient System of National Defense*, 31-42.
- RANDELL, JOSEPH E. *The High Cost of the Pork Barrel*, 43-55.
- Reform, New York executive, 20.
- Registrar, improvements made by, 96.
- Representative bodies, 172-173.
- Responsibility: counties, 118-121; diffusion of, 80; officers, 116.
- RESPONSIBLE COUNTY GOVERNMENT, *THE MOVEMENT FOR*. H. S. Gilbertson, 116-121.
- RESPONSIBLE GOVERNMENT, *A PRACTICAL GUIDE TO*. H. S. Gilbertson, 227-234.
- River and harbor legislation, pork barrel in, 44-46.
- ROOT, ELIHU. *The Invisible Government*, x-xiii.
- Schedules, cost of making, 96.
- Schools, work of, 199.
- School republic: Cuba, 201; Ben B. Lindsey on, 201; results of the, 200; social and political importance of, 200-203; Leonard Wood on, 201.
- Scientific management, principles, 77.
- Service records, purposes of, 159.
- Short ballot, 169-171.
- SHORT BALLOT MOVEMENT, *THE, AND SIMPLIFIED POLITICS*. Richard S. Childs, 168-171.
- Single tax, 211.
- Social welfare activities, 136.
- South Dakota, popular election of judges in, 192.
- Spanish War, management of, 38.
- Spoils, federal, state and municipal service, 66-69.
- SPOILS AND THE PARTY. Chester Lloyd Jones, 66-76.
- Standardization, civil service and, 157.
- STATE ADMINISTRATION, *INTERWORKINGS OF, AND DIRECT LEGISLATION*. F. W. Coker, 122-133.
- State Charities Aid Association, New York, 139.
- employees, total salary list of, 68.
- government: comparison of federal and, 13; conditions in, 231-232; development of, 122; inefficiency and extravagance of, 12.
- service, spoils in, 68-69.
- Stimson, Henry L.: recommendations of, for U. S. Army, 36; report of War Department by, 34.
- Supplies: inspection, 100-101; purchase, 100-101.
- TANGER, JACOB. *The Check and Balance System and its Reversion*, 1-10.
- Tariff: 59-63; industries, 57-58; rates, 59; reversions of, since 1890, 58.
- commissions: in the United States, 63-64; work of, 64-65.
- legislation, carelessness of, 58-59.
- making, discussion on, 60.
- TARIFF MAKING BY LOG ROLLING. Guy Emerson, 56-65.
- Tax Association, the National, 78, 80, 81-82, 83.
- associations, state, 84.
- reform, urgency of, 212.
- Taxation, proposed theory of, 211.
- TAXATION AFTER THE WAR. Simon N. Patten, 210-214.
- Taxpayer, attitude of, toward increased cost of government, 81.
- Texas, courses in University of, 223.
- Unit cost system: advantage, 98; purpose, 97-98.
- United States: administrative conditions in Germany and, 216; army, 36; check and balance system, 2-6; circulating capital, 212-213; fighting efficiency, 32; government, 2-6; governmental departments, 4; land

- values, 212; military and naval resources in, 31; presidential postmasters, 149; property in the, 212; tariff commissions, 63-64.
- Voters, 228-229.
- WAR, TAXATION AFTER THE. Simon N. Patten, 210-214.
- War Department: expenditures, report of, by Henry L. Stimson, 34.
- Waterways: appropriations, 46-47; improved, 55; investments, 54-55; safeguards, 46-47.
- Wisconsin: citizenship, 188-189; civil service laws, 68.
- Women: clubs, 205-206; foreign-born, in America, 204-207.
- Wood, Leonard, views of, on school republic, 201.
- Workmen's compensation, Ohio, 126.
- World peace, federation of, 40.





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OF  
THE AMERICAN ACADEMY OF POLITICAL  
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Index*

PHILADELPHIA

The American Academy of Political and Social Science

## THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE

**Origin and Purpose.** The Academy was organized December 14, 1889, to provide a national forum for the discussion of political and social questions. The Academy does not take sides upon controverted questions, but seeks to secure and present reliable information to assist the public in forming an intelligent and accurate opinion.

**Publications.** The Academy publishes annually six issues of its "Annals" dealing with the six most prominent current social and political problems. Each publication contains from twenty to twenty-five papers upon the same general subject. The larger number of the papers published are solicited by the Academy; they are serious discussions, not doctrinaire expressions of opinion. The Academy publications, now approaching one hundred and fifty in number, give the most comprehensive account anywhere obtainable of the political and social questions that have been before the American people during the past quarter century.

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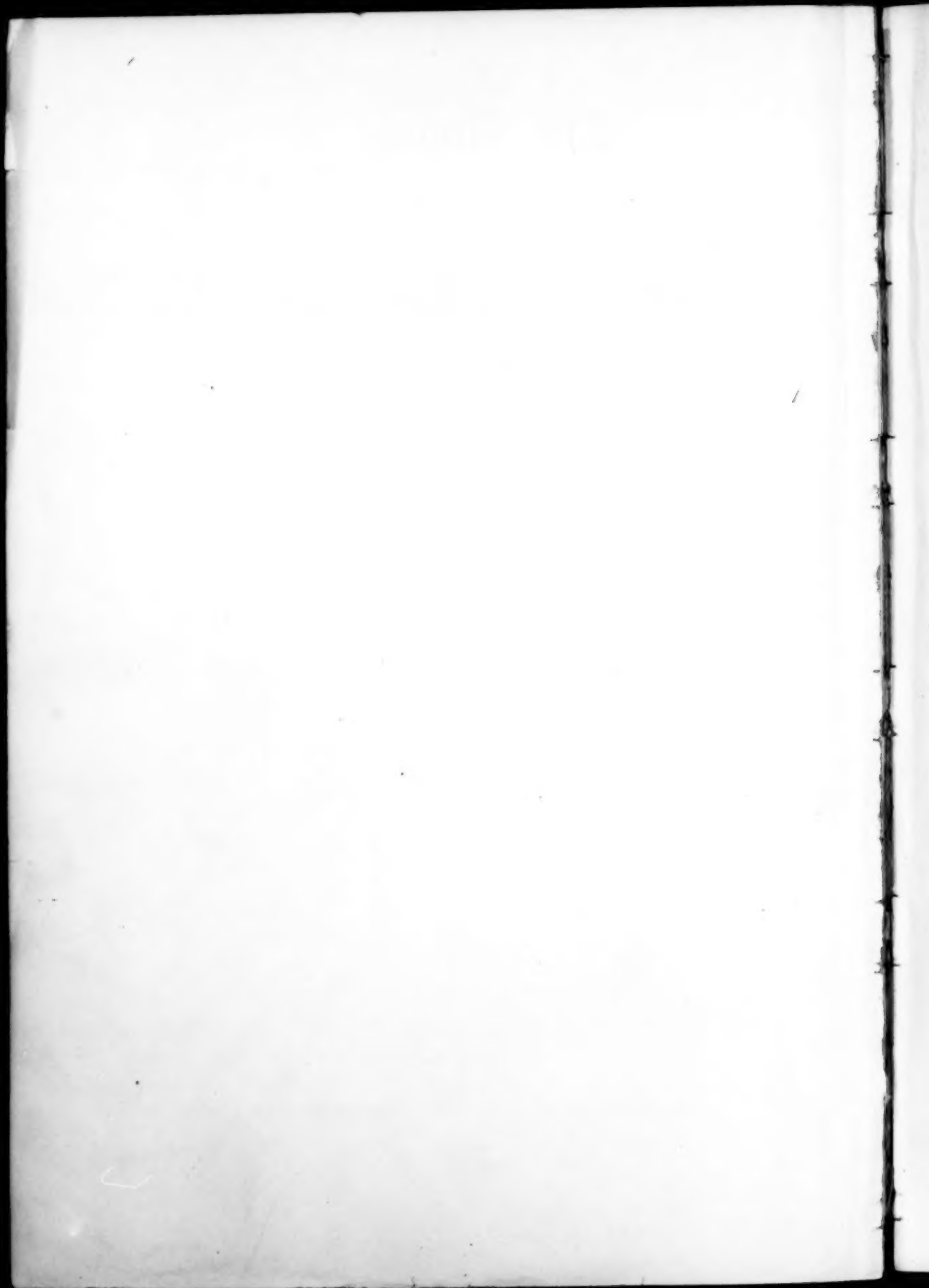
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THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE  
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1916





# THE ACADEMY'S TWENTY-FIFTH ANNIVERSARY

## REVIEW OF ACTIVITIES BY THE PRESIDENT OF THE ACADEMY

Late in 1889 a group of public-spirited citizens<sup>1</sup> assembled in Philadelphia for the purpose of establishing a national center for the discussion of the economic, social and political problems confronting the country. The partisan treatment of such problems had created such confusion in the public mind that the need for such an organization had become a pressing national necessity.

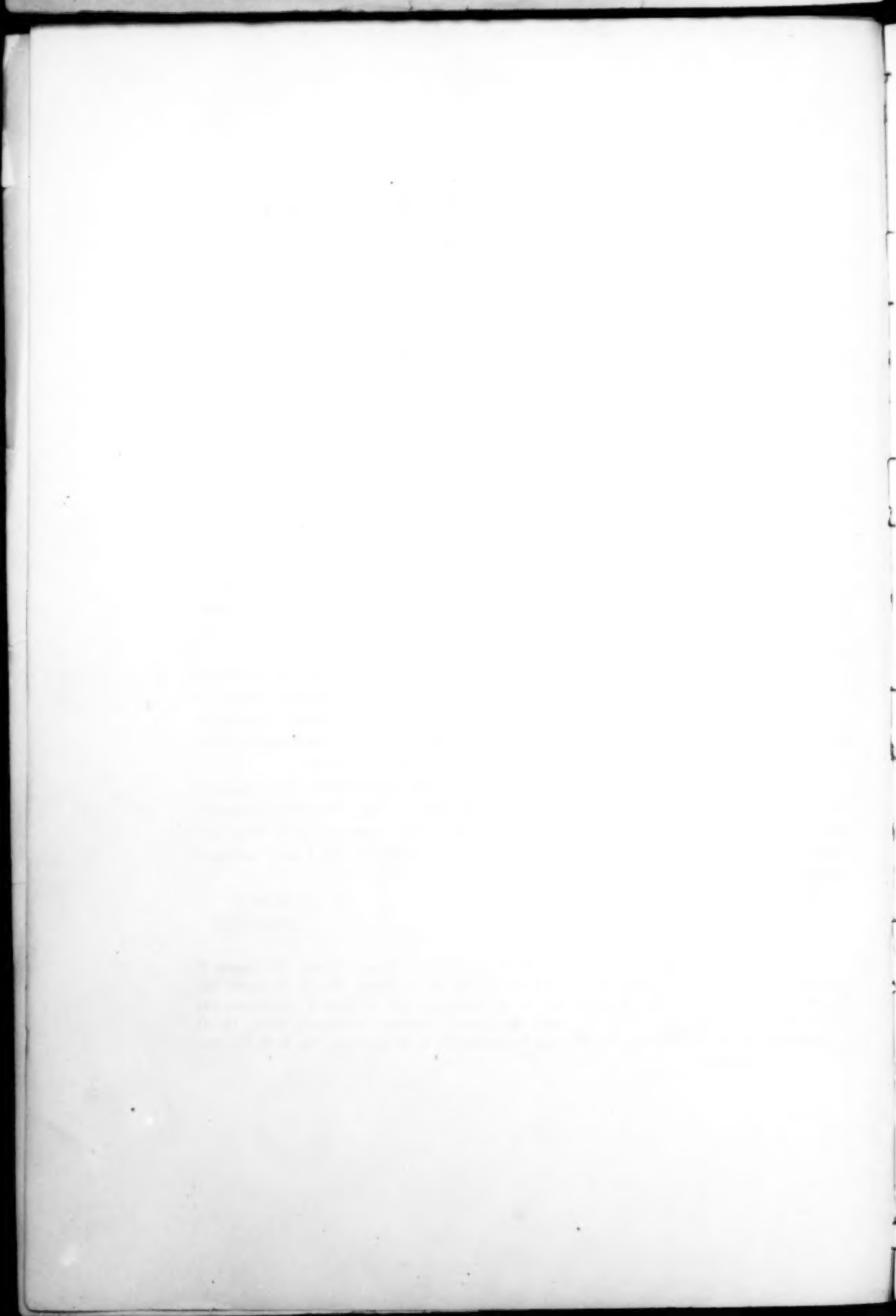
Under the original plan of organization the Academy's activities were divided into two broad classes: the Publications and the Meetings. With each year the national influence of the Academy has been strengthened until today there is no other organization exerting the same far-reaching influence on the public opinion of the country.

The publications have become reference works for civic associations and other public organizations, and are also used to a considerable extent as text-books in university classes. The sessions of the Academy, especially the annual meeting, have assumed the character of National Conferences, attended by national delegates from every section of the Union.

Members of the Academy may view with real satisfaction the progress accomplished during the last quarter of a century. This progress, however, involves heavy responsibility for the future. An organization like the Academy must constantly broaden its activities in order to meet new national needs.

L. S. ROWE,  
*President.*

<sup>1</sup> Dr. Edmund J. James, Mr. Joseph G. Rosengarten, Mr. Henry C. Lea, Dr. Simon N. Patten, Dr. Roland P. Falkner, Mr. Stuart Wood, Mr. W. C. Scott, Mr. W. R. Swift, Mr. Victor L. Conrad, Mr. C. H. Thurber, Mr. F. H. Giddings, Mr. William P. Holcomb, Mr. George Henderson, Mr. Clinton R. Woodruff, Mr. John L. Stewart, Mr. Henry Willis, Dr. H. L. Wayland, Mr. E. P. Cheyney, Mr. William D. Lewis, Mr. S. M. Lindsay, Mr. R. S. De Bow, Mr. John S. Durham.



# THE ACADEMY'S PUBLICATIONS

## AN ANNIVERSARY REVIEW

This index will reveal the intrinsic worth and merit of the Academy's publications throughout the first twenty-five years of its history. The subjects discussed, and the authoritative, scholarly, well supported and scientific method in which these subjects are discussed, speak in their own language of the contribution the Academy has made to the public opinion making forces of the country.

It was the Editor's intention to set down the names of some of the prominent social workers, professional men, public officials, etc., who have repeatedly contributed to *THE ANNALS*, but the list proved too long for wise selections. An examination of the index will reveal that all American leaders of thought in every field, and the leaders of thought in foreign countries as well, have been frequent contributors to the Academy's publications. It is not too much to say that among the contributors are all the leading economists, sociologists, political scientists and social workers of the country.

But it is not solely from these groups that the most of the Academy's publications have been built up. The one source of strength to the Academy has been the wide extent to which business men, labor leaders and public officials have presented their own point of view, and their literature, to the readers of the Academy's publications. Thus, we have, at various times, numbered among our contributors presidents, senators, members of the House of Representatives, governors, mayors, leaders in national and international affairs, labor leaders, pioneers in industrial reorganization, public utility experts, public service commissioners, educators, and eminent jurists and publicists.

In evaluating the publications of the Academy, full credit should be given to the men who as editors and assistant editors or members of the Editorial Council, have given so freely, though gratuitously, of their time and capabilities to forward the standard and worth of the Academy's publications. As editors of *THE ANNALS* have been Edmund J. James (1890-1895), now president of the University of Illinois; Roland P. Falkner (1895-1900), of Hamilton Institute, New York City; Henry R. Seager (1901), Professor of Economics, Columbia University, and Emory R. Johnson (1902-1914), Professor of Transportation and Commerce, University of Pennsylvania. Among the assistant editors have been Chester Lloyd Jones, Professor of Political Science, University of Wisconsin, and Ellery C. Stowell, Assistant Professor of International Law, Columbia University. In the Editorial Council have been James Harvey Robinson, Professor of History, Columbia University, Franklin H. Giddings, Professor of Sociology, Columbia University, and Walter S. Tower, Professor of Geography, University of Chicago. For a term of

years, the following men have served on the Council: Carl Kelsey, Professor of Sociology, J. P. Lichtenberger, Professor of Sociology, S. N. Patten, Professor of Political Economy, and S. S. Huebner, Professor of Insurance and Commerce—all of the University of Pennsylvania. Prof. Roswell C. McCrea, Dean of the Wharton School, University of Pennsylvania, and Prof. Frank D. Watson, of Haverford College, have been among those in immediate charge of the Book Department. At all times, back of the Academy's publications have been the guiding hands of its able presidents, Edmund J. James, Samuel McCune Lindsay and L. S. Rowe.

If any one criterion could be chosen as indicative of the effectiveness of the Academy's publications in shaping the public opinion of this country on vital social, civic, economic and international matters, it would be found in the extensive use made of these publications in books dealing with such questions. The most casual reference to the foot-notes and other source material in books of this kind, whether American or foreign, will reveal the wide extent to which the Academy has been looked to for leadership in these matters. The several score of foreign libraries and the hundreds of American libraries that have always been subscribers to *THE ANNALS* likewise testify to the worth-whileness of the matter therein published. More important still in this respect are the several thousand leading business and professional men of the country who are its sustaining members.

In the preparation of this index, Dr. L. S. Rowe, Dr. T. W. Van Metre and Mr. Joseph H. Willits are among those on the Editorial Council who have given largely in time, effort and constructive assistance. It need not be said to those who are familiar with the tedious and careful work necessary to make a thorough, comprehensive index of this character that all possible credit should be given to the employees of the Academy who have given to this work so much time and effort.

The index was put out with the hope that it might make the material in the Academy's publications more available to scholars everywhere. And it is sent out with the invitation to all to join in suggestion and assistance in making the Academy's publications ever more worthy and helpful.

CLYDE L. KING,  
*Editor.*

## TYPE DISTINCTIONS, PAGE AND VOLUME REFERENCES, ORDER OF TOPICS AND ABBREVIATIONS

The following distinctions in type have been made throughout the index:

Titles of volumes and supplements are set in **BLACK FACE TYPE**.

Titles of articles in **REGULAR CAPITALS**.

Names of authors in **REGULAR CAPITALS**.

Volume number in black face numerals (**32**).

Page numbers in regular numerals (32).

The page reference follows immediately after the volume reference. In volumes 1 to 38, inclusive, each volume included more than one issue. In addition to the paging of the separate issues, there was a consecutive paging for the entire volume. The page references in the index, therefore, refer to the paging of the volume as a whole. In volumes 39 to 63, inclusive, each volume comprised only one issue. Hence, in referring to these volumes it has been necessary to give only the volume reference. In the case of Supplements, however, a separate paging was followed. Hence it has been necessary to indicate in each case, in addition to the volume reference, the date of the particular issue to which the supplement appeared. When there are a number of articles bearing on any given topic, the key word is followed by all page references, arranged alphabetically as to sub-topics; then follow the articles arranged alphabetically. Each author's name is followed by the article, or articles, he has written.

### ABBREVIATIONS

The following abbreviations have been used throughout the index:

**J.**—January

**F.**—February

**Mch.**—March

**M.**—May

**Jy.**—July

**S.**—September

**N.**—November

**Sup.**—Supplement

The years have been indicated as: '90 (1890); '00 (1900); '15 (1915).



# DATES AND VOLUME NUMBERS OF THE PUBLICATIONS OF THE ACADEMY AND SUPPLEMENTS THERETO

From 1890 to 1902 the issues of THE ANNALS were devoted to various topics. Since 1902, however, each issue has been devoted to a particular subject. Since 1912 each issue has been numbered as a separate volume. These changes were necessitated by the growing volume of the material published by the Academy.—THE EDITOR.

- Vol. I: July, 1890 to June, 1891
  - Supplements: February, 1891, "Public Health and Municipal Government"
  - March, 1891, "History, Theory and Technique of Statistics"
  - April, 1891, "Handbook of the American Academy of Political and Social Science"
  - May, 1891, "History, Theory and Technique of Statistics," Part II
- Vol. II: July, 1891 to June, 1892
- Vol. III: July, 1892 to June, 1893
  - Supplements: January, 1893, "Constitution of the Republic of Colombia"
  - March, 1893, "Constitutional and Organic Laws of France, 1875-1889"
- Vol. IV: July, 1893 to June, 1894
  - Supplements: September, 1893, "Inland Waterways"
  - March, 1894, "History of Political Economy"
- Vol. V: July, 1894 to June, 1895
  - Supplements: July, 1894, "Theory of Sociology"
  - September, 1894, "Constitution of the Kingdom of Prussia"
  - November, 1894, "Constitution of the Kingdom of Italy"
- Vol. VI: July, 1895 to December, 1895
- Vol. VII: January, 1896 to June, 1896
  - Supplements: January, 1896, "Theory of Social Forces"
  - May, 1896, "Constitution of the Kingdom of Belgium"
- Vol. VIII: July, 1896 to December, 1896
- Vol. IX: January, 1897 to June, 1897
  - Supplement: May, 1897, "Handbook of the Academy"
- Vol. X: July, 1897 to December, 1897
- Vol. XI: January, 1898 to June, 1898
  - Supplement: May, 1898, "Handbook of the Academy"
- Vol. XII: July, 1898 to December, 1898
- Vol. XIII: January, 1899 to June, 1899
  - Supplement: May, 1899, "Foreign Policy of the United States"
- Vol. XIV: July, 1899 to December, 1899
- Vol. XV: January, 1900 to June, 1900
  - Supplement: May, 1900, "Corporations and Public Welfare"
- Vol. XVI: July, 1900 to December, 1900
  - Supplement: July, 1900, "Selected Official Documents of the South African Republic and Great Britain"
- Vol. XVII: January, 1901 to June, 1901
  - Supplements: January, 1901, "Massachusetts Labor Legislation"
  - May, 1901, "Handbook of the Academy"
- Vol. XVIII: July, 1901 to December, 1901

1902

- Vol. XIX:
  - January—"Commerce and Transportation"
  - May—"Government of Dependencies"

- Vol. XX:  
November—"Finance"

1903

- Vol. XXI:  
January—"Current Labor Problems"  
March—"Current Political Problems"  
May—"Problem in Charities and Corrections"

- Vol. XXII:  
July—"The United States and Latin-America"  
September—"Southern Educational Problems"  
November—"Business Management"

1904

- Vol. XXIII:  
January—"Tariff Problems—American and British"  
March—"Municipal Problems"  
May—"Philanthropy and Penology"

- Vol. XXIV:  
July—"The Government in its Relation to Industry"  
September—"Some Problems of Organized Labor"  
November—"Insurance and Commercial Organization"

1905

- Vol. XXV:  
January—"Business Management and Finance"  
March—"City Life and Progress"  
May—"Child Labor"

- Vol. XXVI:  
July—"The United States as a World Power"  
September—"Insurance"  
November—"Federal Regulation of Corporations"

1906

- Vol. XXVII:  
January—"Municipal Ownership and Municipal Franchises"  
March—"Child Labor"  
May—"The Improvement of Labor Conditions in the United States"  
Supplement: "Pan-American Conferences and Their Significance"

- Vol. XXVIII:  
July—"Business Professions"  
September—"Woman's Work and Organizations"  
November—"Municipal Problems"

1907

- Vol. XXIX:  
January—"Child Labor"  
Supplement: "Child Labor Legislation"  
March—"Railway and Traffic Problems"  
Supplement: "Our State Constitutions"  
May—"Tariffs, Reciprocity and Foreign Trade"

- Vol. XXX:  
July—"American Colonial Policy and Administration"  
September—"Bonds as Investment Securities"  
Supplement: "Impersonal Taxation"  
November—"Social Work of the Church"

1908

Vol. XXXI:

- January—"American Waterways"
- March—"Lessons of the Financial Crisis"
- May—"Control of Municipal Public Service Corporations"
- Supplement: "Child Labor Legislation"

Vol. XXXII:

- July—"Federal Regulation of Industry"
- Supplement: "Child Labor and Social Progress"
- September—"Tariff Revision"
- November—"Regulation of the Liquor Traffic"

1909

Vol. XXXIII:

- January—"Industrial Education"
- March—"Labor and Wages"
- Supplement: "Child Workers of the Nation"
- May—"Conservation of Natural Resources"

Vol. XXXIV:

- July—"Race Improvement in the United States"
- Supplement: "Consumers' Control of Production"
- September—"Chinese and Japanese in America"
- November—"American Business Conditions"

1910

Vol. XXXV:

- January—"The New South"
- Supplement: "Development of Germany as a World Power"
- March—"Public Recreation Facilities"
- Supplement: "Child Employing Industries"
- May—"Stocks and the Stock Market"
- Supplement: "Significance of the Woman Suffrage Movement"

Vol. XXXVI:

- July—"The Administration of Justice in the United States"
- Supplement: "Commercial Relations between the United States and Japan"
- September—"Settlement of Labor Disputes"
- Supplement: "The Work of the National Consumers' League"
- November—"Banking Problems"

1911

Vol. XXXVII:

- January—"Electric Railway Transportation"
- Supplement: "The Need for Currency Reform"
- March—"The Public Health Movement"
- May—"Political and Social Progress in Latin-America"
- Supplement: "The Living Wage of Women Workers"

Vol. XXXVIII:

- July—"Risks in Modern Industry"
- Supplement: "Uniform Child Labor Laws"
- September—"American Produce Exchange Markets"
- Supplement: "Work of the National Consumers' League"
- November—"Commission Government in American Cities"

1912

Vol. XXXIX: January—"China: Social and Economic Conditions"

Vol. XL: March—"Country Life"

- Vol. XLI: May—"Efficiency in City Government"  
 Supplement: "Timber Bonds as Investment Securities"  
 Vol. XLII: July—"Industrial Competition and Combination"  
 Vol. XLIII: September—"Initiative, Referendum and Recall"  
 Vol. XLIV: November—"The Outlook for Industrial Peace"  
 Supplement: "Reconstruction of Economic Theory"

1913

- Vol. XLV: January—"Canadian National Problems"  
 Vol. XLVI: March—"Prison Labor"  
 Vol. XLVII: May—"County Government"  
 Vol. XLVIII: July—"The Cost of Living"  
 Vol. XLIX: September—"The Negro's Progress in Fifty Years"  
 Vol. L: November—"Reducing the Cost of Food Distribution"

1914

- Vol. LI: January—"Housing and Town Planning"  
 Vol. LII: March—"Reform in Administration of Justice"  
 Vol. LIII: May—"State Regulation of Public Utilities"  
 Vol. LIV: July—"International Relations of the United States"  
 Vol. LV: September—"Government Regulation of Water Transportation"  
 Vol. LVI: November—"Women in Public Life"

1915

- Vol. LVII: January—"Public Policies as to Municipal Utilities"  
 Vol. LVIII: March—"Readjustments in Taxation"  
 Vol. LIX: May—"The American Industrial Opportunity"  
 Supplement: "The Total Disability Provision in American Life Insurance Contracts"  
 Vol. LX: July—"America's Interests as Affected by the European War"  
 Vol. LXI: September—"America's Interests After the European War"  
 Vol. LXII: November—"Public Budgets"

1916

- Vol. LXIII: January—"National Industries and the Federal Government"





# INDEX

- ABBOT, HENRY L.** Present Status of the Panama Project, **31**: 12-35.  
**ABBOTT, ELIZABETH.** North Dakota Child Labor Committee, **33**: Sup. Mch., '09, 189-90.  
**ABBOTT, LYMAN.** Answer to the Arguments in Support of Woman Suffrage, **35**: Sup. M., '10, 28-32.  
**A B C doctrine**, **54**: 113.  
**Aberdeen**, **9**: 162.  
**Abstract science, sociology and**, **5**: 746.  
**ABSTRACT SCIENCES, RELATION OF, TO CONCRETE**, **5**: 942-7.  
**ACADEMIC DEGREES AT PARIS, NEW**, **7**: 286-90.  
**Accidents**: cause of, **38**: 108; compensation for, **44**: 93; industrial, **15**: 141, 487; **38**: 40, 94-7, 184; **61**: 257; insurance, **21**: 376; **38**: 223; prevention, **38**: 36, 84, 98-107; **42**: 13, 21, 25, 39, 40; **44**: 80; relief, **42**: 14, 39, 40, 51, 136, 207; responsibility for, **42**: 31; **44**: 87; risks, **61**: 181-2; social cost, **32**: Sup. Jy., '08, 11. *See* Safety, Accident Prevention, Industrial Accidents, Street Railway Accidents, Red Cross, Insurance.  
**ACCIDENTS, BURDEN OF INDUSTRIAL**, **38**: 76-82.  
**ACCIDENT INSURANCE**, **26**: 483-98.  
**ACCIDENT PREVENTION, THREE ESSENTIALS FOR**, **38**: 98-107.  
**ACCIDENTS, PREVENTION OF INDUSTRIAL**, **38**: 71-3.  
**ACCIDENTS, INADEQUACY OF PRESENT LAWS CONCERNING**, **38**: 74-5.  
**ACCIDENTS, PROGRESS IN LEGISLATION CONCERNING INDUSTRIAL**, **38**: 205-17.  
**ACCIDENTS. RED CROSS MEASURES FOR THE PREVENTION OF DISASTERS**, **38**: 90-3.  
**ACCIDENT, SOCIAL COST OF, IGNORANCE AND EXHAUSTION**, **32**: Sup. Jy., '08, 11-18.  
**ACCIDENTS TO WORKING CHILDREN**, **33**: Sup. Mch., '09, 131-43.  
**Accountancy.** *See* Accounts, Accounting.  
**ACCOUNTANCY, THE PROFESSION OF**, **28**: 16-27.  
**Accountants**: public, **28**: 151. *See* Accounting.  
**ACCOUNTANT'S RELATION TO TIMBER BOND ISSUES, THE**, **41**: Sup. M., '12, 51-8.  
**Accounting**: **15**: 125; **28**: 16-27; **41**: 43, 57-63, 252, 276, 305; **41**: Sup. M., '12, 51; **47**: 239; **53**: 120, 129, 133, 245, 251; **62**: 136; budgets, **62**: 231-32; control over, **53**: 132; costs, **53**: 189; county, **47**: 201, 202, 204, 209; depreciation, **53**: 189; Division of Valuation, **63**: 179-80; functions, **22**: 33; governmental regulation, **53**: 119-27; Indiana, **47**: 253; **53**: 17; Interstate Commerce Commission, **53**: 124; **63**: 223-5; methods, **15**: Sup. M., '00, 21; **41**: 57; municipal, **28**: 453-62; **41**: 304-6; **62**: 136; New York City, **41**: 43; New York Public Service Commission, **53**: 124; public service regulation, **53**: 128; publicity, **53**: 132; railroads, **63**: 222-4, 227; regulation, **53**: 122; reporting, **62**: 218; Toronto, **62**: 218-20; uniform, **19**: 497; **47**: 203; **55**: 15; **63**: 207. *See* Auditing Accounts, Accountancy, Cost Accounting, Municipal Accounting.  
**ACCOUNTING BASIS OF BUDGETARY PROCEDURE**, **62**: 136-39.  
**ACCOUNTING IN A BOND HOUSE, METHODS OF AUDITING AND**, **30**: 284-91.  
**ACCOUNTING METHODS, RESULTS OBTAINABLE THROUGH REORGANIZATION OF**, **41**: 57-63.  
**ACCOUNTING PRACTICE, THE MOVEMENT FOR IMPROVED FINANCING AND, IN TORONTO**, **62**: 211-22.  
**ACCOUNTING PROCEDURE, GOVERNMENTAL REGULATION OF**, **53**: 119-27.  
**ACCOUNTING IN PUBLIC SERVICE REGULATION**, **53**: 128-34.  
**ACCOUNTING AND REPORTING, THE APPLICATION TO A MUNICIPALITY OF MODERN METHODS OF**, **41**: 64-8.  
**ACCOUNTING AND REPORTING, NATIONAL FUND FOR PROMOTING MUNICIPAL**, **41**: 304-6.  
**ACCOUNTING, SIMPLIFIED COST, FOR MANUFACTURERS**, **61**: 165-73.  
**ACCOUNTING SYSTEM, THE PRESCRIBED, FOR RAILROADS BY THE INTERSTATE COMMERCE COMMISSION**, **63**: 222-31.  
**ACCOUNTING AND TAXATION, FINANCIAL CONTROL: CAPITALIZATION, METHODS OF**, **15**: Sup. M., '00, 21.  
**Accounts**: **41**: 210; budget, **62**: 40-1; commission merchants, **50**: 68; regulation of, **53**: 17; state supervision, **23**: 337-8; **57**: 66; uniform, **21**: 278; **41**: 62; **53**: 71. *See* Accounting.  
**ACCOUNTS, PUBLICITY OF, OF INDUSTRIAL CORPORATIONS**, **42**: 98-107.  
**Accused**: examination of, **52**: 95, 126-8, 130, 131.  
**ACCUSED, THE PRIVILEGE OF THE, TO REFUSE TO TESTIFY**, **52**: 124-31.  
**ACCUSED, TREATMENT OF THE**, **36**: 16-19.  
**Achaian League**, **6**: 205.  
**Achenwall, Gottfried**, **1**: Sup. Mch., '91, 9, 18, 36, 41, 49, 75, 90, 103, 105.  
**ACLAND, F. A.** The Canadian Industrial Disputes Investigation Act, **36**: 419-37.  
**Actual cost.** *See* Cost, Valuation.  
**ACWORTH, W. M.** Railway Professional Education, Its Objects, and Limitations, **28**: 130-42. *See also* **4**: Sup. S., '93, 67.  
**ADAMS, H. B.** American Historical Association, **5**: 794-5.  
**Adams, H. M.**, **4**: Sup. S., '93, 16.  
**ADAMS, JOHN, JR.** Stocks and their Features—A Division and Classification, **35**: 525-44.

- ADAMS, MYRON E. Children in American Street Trades, **25**: 437-58.
- ADAMS, T. S. The Financial Problems of Porto Rico, **17**: 444-53; Separation of State and Local Revenues, **58**: 131-9.
- ADAMS, W. G. S. The Basis of Constructive Internationalism, **61**: 217-29.
- ADAMSON, TILDEN. The Preparation of Estimates and the Formulation of the Budget—The New York City Method, **62**: 249-63.
- ADDAMS, JANE. The Federal Children's Bureau, **33**: Sup. Mch., '09, 28-30; A Function of the Social Settlement, **13**: 323-45; The Operation of the Illinois Child Labor Law, **27**: 327-30; Child Labor Legislation—A Requisite for Industrial Efficiency, **25**: 542-50; Child Labor on The Stage, **38**: Sup. Jy., '11, 60-5; Child Labor, Ten Years' Experience in Illinois, **38**: Sup. Jy., '11, 144-8; The Housing Problem in Chicago, **20**: 99-107; The Larger Aspects of the Woman's Movement, **56**: 1-8; National Protection for Children, **29**: 57-60.
- ADLER, FELIX. Annual Address of the Chairman of the National Child Labor Committee (Sixth Annual Meeting), **35**: Sup. Mch., '10, 1-6; The Attitude of Society Toward the Child as an Index of Civilization, **29**: 135-41; The Basis of the Anti-Child Labor Movement in the Idea of American Civilization, **32**: Sup. Jy., '08, 1-3; Child Labor a Menace to Civilization, **38**: Sup. Jy., '11, 1-7; Child Labor in the United States and its Great Attendant Evils, **25**: 417-29.
- ADLER, HERBERT M. The Licensing Question in England, **23**: 514-17; Police System of London, **24**: 556-9; Recent Changes in the Government of London, **23**: 237-54.
- Administration: **5**: 679; **16**: 186; **29**: Sup. Mch., '07, 2, 3, 32-5, 55, 56, 84; Aristotelian system, **10**: 331; cities, **2**: 458-70; **10**: 122, 289, 295, 299; commission government, **41**: 218; education, **10**: 359; England, **10**: 187-205; France, **11**: 24-43; **11**: 37; functions, **2**: 194; highways, **41**: 115; justice, **41**: 38; municipal, bibliography on, **9**: 466; offices, **2**: 165; **29**: Sup. Mch., '07, 3, 30, 33-5, 54, 84; Philippines, **30**: 116; Pittsburgh, **16**: 317; Prussia, **7**: 253-69; **10**: 389-423.
- ADMINISTRATION, EFFECTIVE CHARITY, **41**: 176-92.
- ADMINISTRATION UNDER THE COMMISSION PLAN, SECURING EFFICIENT, **41**: 218-32.<sup>1</sup>
- ADMINISTRATION. LOCAL VS. STATE CONSTABULARY, **17**: 100-1.
- ADMINISTRATION. ELECTED OR APPOINTED OFFICIALS, **5**: 653-83.
- ADMINISTRATION OF A PHILIPPINE PROVINCE, THE, **30**: 115-22.
- ADMINISTRATION, POLITICS AND, **16**: 177-88.
- ADMINISTRATION, RECENT TENDENCIES IN STATE, **18**: 434-45.
- ADMINISTRATION. STATE BOARDS OF CONTROL, WITH SPECIAL REFERENCE TO THE EXPERIENCE OF WISCONSIN, **17**: 74-91.
- Administrative commissions: national government, **59**: 215.
- <sup>1</sup> See footnote, p. 27.
- Administrative discretion: New York City, **62**: 179.
- efficiency: city planning, **62**: 157.
- functions: Cleveland, **62**: 265-6.
- government: Wisconsin, **62**: 59.
- initiative, **62**: 6.
- re-organization: Illinois, **62**: 90; Ohio, **62**: 61-2; Wisconsin, **62**: 62. See State Government, Local Government, Municipal Government, Commission Government, City Manager.
- ADMINISTRATIVE CENTRALIZATION AND DECENTRALIZATION IN ENGLAND, **10**: 187-205.
- ADMINISTRATIVE CENTRALIZATION AND DECENTRALIZATION IN FRANCE, **11**: 24-43.
- ADMINISTRATIVE CODE FOR NEW JERSEY CITIES, A PROPOSED MUNICIPAL, **41**: 204-12.
- ADMINISTRATIVE EFFICIENCY, INVESTIGATION AS A MEANS OF SECURING, **41**: 281-303.
- ADMINISTRATIVE PROGRAM, THE BUDGET AS AN, **62**: 176-91.
- ADULT PROBATION, **52**: 132-9.
- Adulteration, **48**: 216. See Pure foods.
- Adventists, **44**: Sup. N., '12, 83.
- Advertising: **16**: 363; **28**: 43; **48**: 238-43; **63**: 60; butter selling, **50**: 200; competition, **63**: 6-7; distribution and, **48**: 238; Duluth, **17**: 537; effects, **48**: 239-41; efficiency, **50**: 197; experiments, **50**: 201; functions, **50**: 199; monopoly, **16**: 363; **48**: 243.
- ADVERTISING, **22**: 470-4.
- ADVERTISING AND THE HIGH COST OF LIVING, **48**: 238-43.
- ADVERTISING AS AN AID TO DIRECT SELLING, **50**: 197-202.
- Africa: agreements in trade with, **55**: 83-5; effect of European war on, **60**: 13-14; revolt in German South West, **23**: 574; steamship services to, **55**: 67.
- AFRICA, FOREIGN RAILWAY EVENTS IN, IN 1902-03, **23**: 121-40.
- AFRICA. SELECTED AND OFFICIAL DOCUMENTS OF THE SOUTH AFRICAN REPUBLIC AND GREAT BRITAIN. Vol. 16, Sup. Jy., '00.
- AFRICAN WAR, THE FINANCING OF THE SOUTH, **20**: 534-58.
- Agency, governmental, **29**: Sup., Mch., '07, 2, 5, 6, 7, 11.
- AGENCY SYSTEM, THE ORGANIZATION AND MANAGEMENT OF THE, **26**: 243-55.
- AGGER, EUGENE E. Commercial Paper and the Federal Reserve Board, **63**: 105-21.
- Agrarian movement: England, **1**: 412; **4**: 790-8.
- Agreements: **36**: 304; **55**: 7, 48-111, 112-20, 133, 158, 185; **61**: 226-7; freight, **55**: 129; steamship companies, **55**: 56-7, 194-204; trade, **55**: 73-111. See Trade Agreements.
- AGREEMENT, THE TRADE, IN THE BUILDING TRADES, **27**: 510-16.
- AGREEMENT, THE TRADE, IN THE COAL INDUSTRY, **36**: 340-8.
- AGREEMENTS, THE ADMINISTRATION AND ENFORCEMENT OF STEAMSHIP CONFERENCES AND, **55**: 112-43.
- AGREEMENTS, ADVANTAGES AND DISADVANTAGES OF SHIPPING CONFERENCES AND, IN THE AMERICAN FOREIGN TRADE, **55**: 243-51.

- AGREEMENTS AND CONFERENCES IN THEIR RELATION TO OCEAN RATES, **55**: 194-204.
- AGREEMENTS, HISTORICAL DEVELOPMENT OF STEAMSHIP, AND CONFERENCES IN THE AMERICAN FOREIGN TRADE, **55**: 48-74.
- AGREEMENTS OF THE MARITIME UNIONS, THE WAGE SCALE, **36**: 349-65.
- AGREEMENTS, POOLING, **55**: 144-54.
- AGREEMENTS, RATE, BETWEEN CARRIERS IN THE FOREIGN TRADE, **55**: 155-63.
- AGREEMENTS, STEAMSHIP LINE, AND AFFILIATIONS IN THE AMERICAN FOREIGN AND DOMESTIC TRADE, **55**: 75-111.
- AGREEMENTS, TRADE, **36**: 321-32.
- AGREEMENTS, TRAFFIC, BETWEEN STEAMSHIP LINES AND AMERICAN RAILROADS, **55**: 185-93.
- Agricultural associations, **40**: 201.
- colleges: **35**: 154; **40**: 19; associations of, **46**: 125; **49**: 212; **59**: 62; coopération between Department of Agriculture and, **59**: 59-60; extension work of, **59**: 58-9. See Experiment Stations.
  - Colony at La Chalmelle, **16**: 165.
  - credit: **50**: 183-96; Raiffeisen System, **46**: 172; Schulze-Delitzsch System, **46**: 172.
  - departments, railways, **50**: 43.
  - education, **22**: 326; **59**: 62-4.
  - efficiency, **59**: 55-6; **61**: 187, 194.
  - production, **50**: 183, 188, 252; **59**: 40-50.
  - products: distribution, **59**: 65; personal property, **30**: Sup. S., '07, 46; prices, **59**: 51-2; United States, **59**: 326.
  - regulation, **63**: 155.
  - research, **59**: 40.
  - resources, **59**: 14.
  - schools, see Agricultural colleges, Physico-rats.
  - science, **59**: 65-6.
  - teachers, **59**: 56-7.
  - and Mechanical College, Greensboro, N. C., **49**: 142.
- AGRICULTURAL BANK FOR THE PHILIPPINE ISLANDS, THE, **30**: 38-44.
- AGRICULTURAL COMMUNITIES, VITALIZING THE NATION AND CONSERVING HUMAN UNITS THROUGH THE DEVELOPMENT OF, **63**: 278-86.
- AGRICULTURAL DEVELOPMENT, THE INFLUENCE OF IMMIGRATION ON, **33**: 373-9.
- AGRICULTURAL DEVELOPMENT, THE NEGRO AND, **35**: 8-15.
- AGRICULTURAL ECONOMY, COTTON IN SOUTHERN, **35**: 1-7.
- AGRICULTURAL EDUCATION AND AGRICULTURAL PROSPERITY, **59**: 51-64.
- AGRICULTURAL EDUCATION, THE NEED OF, **35**: 150-5.
- AGRICULTURAL EFFICIENCY, GREATER, FOR THE BLACK BELT OF ALABAMA, **61**: 187-98.
- AGRICULTURAL FAIRS, INFLUENCES EXERTED BY, **40**: 200-10.
- AGRICULTURAL LABORER, THE ITALIAN AS AN, **33**: 380-90.
- AGRICULTURAL LABORERS IN THE UNITED STATES, **40**: 40-4.
- AGRICULTURAL MACHINES, THE TARIFF AND THE PRICE OF, **29**: 522-7.
- AGRICULTURAL PRESS, SOCIAL SIGNIFICANCE OF THE, **40**: 158-62.
- AGRICULTURAL PRODUCTION, EFFECT OF FARM CREDITS ON INCREASING, AND FARM EFFICIENCY, **50**: 183-90.
- AGRICULTURAL PRODUCTION, THE IMPORTANCE OF RESEARCH AS A MEANS OF INCREASING, **59**: 40-50.
- AGRICULTURAL PROSPERITY, AGRICULTURAL EDUCATION AND, **59**: 51-64.
- AGRICULTURAL REVOLUTION A NECESSITY. **35**: 42-51.
- Agriculture: **2**: 438; **4**: Sup. Mch., '94, 127, 130; **6**: 567-9; **8**: 307; **12**: 384; **22**: 491-503; **23**: 26-42; **35**: 42-51; **40**: 40-4; **46**: 125; **48**: 137, 201; **50**: 155, 175; **59**: 6, 8-11, 40-51, 57-64, 69-70; **63**: 281; Black Belt of Alabama, **61**: 191; British, **14**: 204-19; China, **39**: 141, 146; Dept. of, **40**: 100-9; **45**: 255, 256, 259; methods, **48**: 230; **63**: 288; negroes, **33**: 368; **49**: 20, 54; **61**: 196; Philippines, **23**: 189; resources, **59**: 18; scientific, **40**: 49; **46**: 167-77; **63**: 284; slavery, **4**: 265. See Agricultural Credit, Distribution, Marketing.
- AGRICULTURE, ECONOMIC ASPECTS OF BRITISH, **14**: 204-19.
- AGRICULTURE. ECONOMIC NEEDS OF THE SOUTH, **35**: 165-71.
- AGRICULTURE. THE NEED FOR AGRICULTURAL EDUCATION, **35**: 150-5.
- AGRICULTURE, EDUCATION FOR, **40**: 19-20.
- AGRICULTURE, THE EFFICIENCY MOVEMENT IN ITS RELATION TO, **59**: 65-76.
- AGRICULTURE. FARM TENURE IN THE UNITED STATES, **33**: 647-57.
- AGRICULTURE. FUNCTIONS AND NEEDS OF OUR GREAT MARKETS, **45**: 245-62.
- AGRICULTURE, GROWTH AND MANAGEMENT OF AMERICAN, **22**: 491-503.
- AGRICULTURE. THE NEGRO AND AGRICULTURAL DEVELOPMENT, **35**: 8-15.
- AGRICULTURE, THE OFFICE OF MARKETS OF THE UNITED STATES DEPARTMENT OF, **50**: 252-9.
- AGRICULTURE. NEW FARM CROPS FOR THE SOUTH, **35**: 52-9.
- AGRICULTURE. PEONS OF THE SOUTH, **4**: 265-74.
- AGRICULTURE. SOUTHERN AGRICULTURE, PLANTATION SYSTEM, AND THE NEGRO PROBLEM, **40**: 90-9.
- AGRICULTURE, UNITED STATES DEPARTMENT OF, THE, **40**: 100-9.
- AILES, MILTON E. National Banking System and Federal Bond Issues, **36**: 592-606.
- Alabama: **1**: Sup. F., '91, 3; **16**: 93, 101; **24**: 78; **29**: Sup. Mch., '07, 25, 28, 35, 45, 52, 53, 71; **47**: 90; **49**: 5; **53**: 3, 20, 58; **61**: 187, 189-91; bankers, **36**: 633; Black Belt, **61**: 187-8, 191-3, 195; child labor, **21**: 331-2; **29**: 163; **38**: Sup. Jy., '11, 111-13; commission government, **38**: 693; constitutional convention, **19**: 143-5; convict labor, **46**: 12; schools, **22**: 280-3; **49**: 212; tax commission, **58**: 121; White Counties, **61**: 188, 190-1, 194.
- ALABAMA, CURRENT PROBLEMS IN, **22**: 280-3.
- ALABAMA, GREATER AGRICULTURAL EFFICIENCY FOR THE BLACK BELT OF, **61**: 187-98.
- ALABAMA, HISTORY OF CHILD LABOR REFORM IN, **38**: Sup. Jy., '11, 111-13.

- Alameda county, California, **13**: 131.
- ALAMEDA COUNTY, CALIFORNIA, THE GOVERNMENT OF, **47**: 237-47.
- Alaska, **55**: 101; **56**: 93.
- Alaskan railway, **54**: 271, 272.
- Alcohol, **3**: 429; **6**: 352; **16**: 494. *See* Liquor, Local option, Prohibition, Temperance.
- ALCOHOL, THE RESULT OF THE TEACHING OF THE EFFECT OF, ON THE HUMAN SYSTEM, **32**: 604-11.
- ALCOHOL QUESTION IN SWITZERLAND, THE, **3**: 429-43.
- ALCOHOLISM AS A CAUSE OF INSANITY, **34**: 81-4.
- ALDEN, GEORGE H. The Evolution of the American System of Forming and Admitting New States into the Union, **18**: 469-79.
- ALDERMAN, EDWIN A. The Southwestern Field, **22**: 287-92.
- ALDRICH, NELSON W. The Industrial Ascendency of the United States, **15**: Sup. M., '00, 153-68; The Need for Currency Reform, **37**: Sup. J., '11, 4-9.
- Aldrich-Vreeland Act, provisions, **36**: 491.
- ALEXANDER, HOOPER. "Poor White Folks," **35**: Sup. Mch., '10, 58-60.
- ALEXANDER, J. W. Bill to Regulate Carriers by Water Engaged in the Foreign and Interstate Commerce of the United States, **55**: 263-74; Recommendations of the Committee of the House of Representatives, on The Merchant Marine and Fisheries, **55**: 255-63. *See also* **55**: 9.
- ALEXANDER, MAGNUS W. Apprenticeship System of the General Electric Company at West Lynn, Massachusetts, **33**: 141-50; Contribution of Industrial Combinations to National Welfare, **42**: 134-9.
- Aliens, *see* Immigration, Suffrage.
- ALIEN, IN RELATION TO OUR LAWS, THE, **52**: 169-76.
- ALLEN, C. E. Greater Agricultural Efficiency for the Black Belt of Alabama, **61**: 187-98.
- ALLEN, LAFON. Kentucky Child Labor Association, **33**: Sup. Mch., '09, 172-81; **35**: Sup. Mch., '10, 164-8; **38**: Sup. Jy., '11, 163-5.
- ALLEN, WALTER S. The State and the Lighting Corporations, **2**: 707-15; Street Railway Franchises in Massachusetts, **27**: 91-110.
- ALLEN, WILLIAM H. Health Needs and Civic Action, **37**: 247-56; Efficiency in Religious Work, **30**: 539-44; Fresh Air Work, **23**: 464-71; Local vs. State Constabulary, **17**: 100-1; The Election of 1900, **17**: 53-73; The Rise of the National Board of Health, **15**: 51-68; Training Men and Women for Public Service, **41**: 307-12.
- ALLISON, JAMES E. Depreciation, **53**: 198-213; Rate of Return, **53**: 172-7.
- Almsouses, **23**: 271-3, 479-81, 510.
- ALMY, FREDERIC. Juvenile Courts in Buffalo, **20**: 279-85.
- Alphonso I, **1**: Sup. Mch., '91, 18.
- ALTHOUSE, CALVIN O. Water Power in the Mississippi Valley, **31**: 164-77.
- ALVAREZ, ALEJANDRO. The Monroe Doctrine at the Fourth Pan-American Conference, **37**: 602-8. *See also* **54**: 67, 69, 75.
- Amalgamated Association of Iron, Steel and Tin Workers: **42**: 16.
- Street Railway Employees, **44**: 14.
- Amendments: **25**: 326-7; **27**: 597-609; constitutional, **14**: 344; **29**: Sup. Mch., '07, 2, 5, 13, 83, 87-90; **43**: 67, 147, 159, 162. *See* Constitutions, Law.
- AMENDMENTS, INITIATIVE AND REFERENDUM, IN THE PROPOSED OHIO CONSTITUTION, **43**: 191-202.
- AMENDMENT, A NEW METHOD OF CONSTITUTIONAL, BY POPULAR VOTE, **43**: 311-25.
- AMENDMENTS, THE THREE, **27**: 597-609.
- America: **39**: 60; **43**: 84; **44**: Sup. N., '12, 42; **61**: 48, 265; commerce, *see* Commerce; conservation, **61**: 210, 215; education, **3**: 669-90; manufactures, **60**: 25; municipal reform, **47**: 3; scientific management, **61**: 208-16; shipbuilding, **19**: 46; socialism, **44**: Sup. N., '12, 7; women, **56**: 114.
- AMERICA, RELATION OF STATE TO EDUCATION IN ENGLAND AND, **3**: 669-90.
- AMERICA, THE FINANCIAL MENACE TO, OF THE EUROPEAN WAR, **60**: 123-9.
- AMERICA, COPARTNERSHIP FOR HOUSING IN, **51**: 140-7.
- AMERICA, A BRIEF HISTORY OF THE HOUSING MOVEMENT IN, **51**: 8-16.
- AMERICA, A CONSTRUCTIVE PEACE POLICY FOR, **54**: 270-6.
- AMERICA, HOW CAN, BEST CONTRIBUTE TOWARD CONSTRUCTIVE AND DURABLE PEACE? **61**: 243-4.
- AMERICA, HOW CAN, BEST CONTRIBUTE TO THE MAINTENANCE OF THE WORLD'S PEACE? **61**: 235-8.
- AMERICA, MAY CONTRIBUTE TO THE PERMANENT PEACE OF THE WORLD, HOW? **61**: 230-4.
- AMERICA, THE TOWN-PLANNING MOVEMENT IN, **51**: 172-81.
- AMERICA'S FINANCIAL POSITION AS AFFECTED BY THE WAR, **60**: 119-22.
- AMERICA'S FINANCIAL POSITION, THE EFFECT OF THE WAR ON, **60**: 106-12.
- AMERICA'S FINANCIAL POSITION, THE RESULTS OF THE EUROPEAN WAR ON, **60**: 113-18.
- AMERICA'S FOREIGN TRADE, THE FUTURE OF, **60**: 17-21.
- AMERICA'S INDUSTRIAL POSITION, WHAT SCIENTIFIC MANAGEMENT MEANS TO, **61**: 208-16.
- AMERICA'S INDUSTRIES AS AFFECTED BY THE EUROPEAN WAR, **61**: 1-3.
- AMERICA'S INTERNATIONAL TRADE AS AFFECTED BY THE EUROPEAN WAR, **60**: 1-16.
- AMERICA'S POSSIBLE CONTRIBUTION TO A CONSTRUCTIVE PEACE, **61**: 239-42.
- AMERICA'S POSSIBLE CONTRIBUTION TO THE WORLD'S PEACE, **60**: 230-4.
- AMERICA'S UNEMPLOYMENT PROBLEM, **61**: 11-23.
- American Academy of Political and Social Science, **1**: 133-7, 469-71, 662-75; **2**: 96-103, 531-7; **3**: 502-9, 626-45; **4**: 150-64, 948-67; **7**: 49-57, 74-7; **8**: 148-51; **9**: 421-4; **10**: 87-90, 359; **12**: 1-48; **17**: 92-4,



- 307-17, 481-4, 287-90; 18: 181-7; 19: 114-16, 258, 272-5, 432; 20: 289-304; 21: 293; 22: 191-213; 24: 273-84; 26: 173-9; 27: 677-83; 30: 137-46; 31: 733-5; 32: 261-3; 32: Sup. Jy., '08, 155; 33: 482-4; 34: 163-71; 35: 480-2; 36: 219-27; 37: 576-8; 38: 279-81; 41: 356-60; 42: 375; 46: 231-5; 48: 293; 52: 266-71; 58: 259-66.
- Association for the Advancement of Science, 6: 530; 10: 466; 23: 400-1.
- of Educators of Colored Youth, 49: 132.
- Bar Association, 52: 80, 100; 58: 41.
- capital: foreign investments, 60: 66.
- cities. *See* Cities.
- citizens, 61: 266. *See* Aliens, Citizens, Immigrants, Neutrality.
- Civic Association, 25: 369-71.
- Cooperative Journal, 50: 209.
- Economic Association, 1: 525-8; 3: 369-72; 4: 242; 5: 790-3; 9: 285; 11: 271-3; 17: 304-6; 19: 269-71.
- AMERICAN ECONOMIC ASSOCIATION, JOINT MEETING OF THE, AND THE POLITICAL SCIENCE ASSOCIATION OF THE CENTRAL STATES, 7: 344-8.
- American Federation of Labor: 24: 321-2; 42: 55, 58, 74, 122, 124; 43: 23-4, 69, 122, 214; 44: 15; boycotts, 36: 273; initiative and referendum, 43: 122; negroes, 49: 114.
- Historical Association, 5: 794-5.
- Ice Company, 16: 151.
- industries, 61: 253. *See* Industries.
- Iron and Steel Institute, 42: 25, 37, 56.
- Judicature Society, 52: 81-2, 208.
- League for Civic Improvement: 21: 259.
- markets. *See* Markets.
- mayors, conference, 57: J., '15.
- merchant marine. *See* Merchant Marine.
- Municipalities, League of, 19: 143; 20: 645-6.
- newspaper. *See* Newspapers.
- Park and Out-door Art Association, 21: 258.
- Peace Society, 4: 846.
- Philosophical Society, 4: 336.
- Public Health Association, 15: 131.
- Social Science Association, 3: 197; 4: 197; 10: 465.
- Society of Municipal Improvements, 21: 254-6; 25: 364-6; 41: 135.
- — for Promoting Efficiency, 41: 43.
- — Testing Materials, 41: 135.
- Steel and Wire Company, 42: 14.
- Sugar Company, 42: 299.
- Refining Company, 48: 166.
- Tobacco Company, 42: 95, 125, 197, 240, 241, 274, 321; 48: 169.
- Warehousemen's Association, 48: 163.
- waterways. *See* Waterways.
- AMERICAN ARMY, THE CONSTRUCTIVE WORK OF THE, 61: 257-62.
- AMERICAN BANKING, ENGLISH METHODS OF LENDING AS CONTRASTED WITH AMERICAN, 36: 511-22.
- AMERICAN BANKING, THE EXTENSION OF, IN FOREIGN COUNTRIES, 36: 502-10.
- AMERICAN BANKING AND THE MONEY SUPPLY OF THE FUTURE, 3: 559-72.
- AMERICAN BUSINESS, THE EFFECT OF THE EUROPEAN WAR ON, 60: 143-4.
- AMERICAN AND CANADIAN COURTS, A COMPARISON OF SOME OF THE PRINCIPLES AND RULES OF PRACTICE OF THE, 52: 191-9.
- AMERICAN CITIES, WHAT ARE DOING FOR HEALTH OF SCHOOL CHILDREN, 37: 494-504.
- AMERICAN CITIZENS IN FOREIGN COUNTRIES, 54: 236-42.
- AMERICAN COMMERCE, THE FREE PORT AN AGENCY FOR THE DEVELOPMENT OF, 59: 236-44.
- AMERICAN COMMERCIAL INTERESTS IN THE FAR EAST, 26: 83-8.
- AMERICAN COMMERCIAL INTERESTS IN MANCHURIA, 39: 154-68.
- AMERICAN COMMERCIAL POLICY, INDUSTRIAL CAUSES AFFECTING, SINCE CIVIL WAR, 23: 43-54.
- AMERICAN COMMONWEALTH, 7: 377-410.
- AMERICAN CONTINENT, THE POSITION OF THE UNITED STATES ON THE, 22: 1-20.
- AMERICAN COURTS, A COMPARISON OF SOME OF THE PRINCIPLES AND RULES OF PRACTICE OF THE CANADIAN AND, 52: 191-9.
- AMERICAN CRIMINAL LEGISLATION, RECENT TENDENCIES IN, 23: 493-501.
- AMERICAN EXPORT POLICIES, 61: 51-9.
- AMERICAN FEDERALISM, SOURCES OF, 6: 197-226.
- AMERICAN FOREIGN AND DOMESTIC TRADE, STEAMSHIP LINE AGREEMENTS AND AFFILIATIONS IN THE, 55: 75-111.
- AMERICAN FOREIGN POLICY, ELEMENTS OF A CONSTRUCTIVE, 54: 282-94.
- AMERICAN FOREIGN TRADE, ADVANTAGES AND DISADVANTAGES OF SHIPPING CONFERENCES AND AGREEMENTS IN THE, 55: 243-52.
- AMERICAN FOREIGN TRADE, HISTORICAL DEVELOPMENT OF STEAMSHIP AGREEMENTS AND CONFERENCES IN THE, 55: 48-74.
- AMERICAN INDUSTRY AND LABOR, EUROPEAN WAR INFLUENCES UPON, 61: 4-10.
- AMERICAN INTERPRETATION, THE, OF THE "MOST FAVORED NATION" CLAUSE, 32: 383-93.
- AMERICAN JOURNAL OF SOCIOLOGY, 6: 354-9.
- AMERICAN LABOR, ORIENTAL VS., 34: 247-56.
- AMERICAN LABOR, TARIFF REVISION AND PROTECTION FOR, 32: 315-21.
- AMERICAN LABORING CLASSES, IMMIGRATION AND THE, 34: 125-9.
- AMERICAN LIFE INSURANCE CONTRACTS, THE TOTAL DISABILITY PROVISION IN, 59: Sup. M., '15, 96.
- AMERICAN LIFE INSURANCE METHODS, 4: 753-63.
- AMERICAN METHODS OF LENDING, ENGLISH AS CONTRASTED WITH, 36: 511-22.
- AMERICAN MONEY MARKET, THE PROBABLE CONDITION OF THE, AFTER THE WAR IS OVER, 60: 130-7.
- AMERICAN MUNICIPALITIES, THE RELATION OF THE, TO THE GAS AND ELECTRIC LIGHT SERVICE, 27: 200-31.
- AMERICAN NEWSPAPER, THE: A STUDY IN SOCIAL PSYCHOLOGY, 16: 56-92.
- AMERICAN POLICIES, GERMANY AND, 60: 195-6.



- AMERICAN POLICIES, A REVISION OF, **54**: 191-200.
- AMERICAN POWERS, ATTITUDE OF THE UNITED STATES TOWARD OTHER, **26**: 19-24.
- AMERICAN REPUBLICS, NEUTRAL RIGHTS AND OBLIGATIONS OF, **60**: 155-67.
- AMERICAN REVOLUTION, STATE CONSTITUTIONS OF THE, **9**: 380-421.
- AMERICAN SOCIAL SCIENCE ASSOCIATION, **3**: 363-8.
- AMERICAN SOCIETY, THE MORAL INFLUENCE OF WOMEN IN, **34**: 106-16.
- AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS, OMAHA, BUFFALO, LONDON, **6**: 557-61.
- AMERICAS, THE NEGRO AND THE IMMIGRANT IN THE TWO, **49**: 32-7.
- Ammunition, **54**: 231. See Belligerents, Neutrality.
- Amortization, **57**: 9, 159-60.
- AMRAM, DAVID WERNER. A Comparison of Some of the Principles and Rules of Practice of the American and Canadian Courts, **52**: 191-9.
- Amsterdam, water, **31**: 470.
- Amusements, commercialized, **51**: 209.
- ANDERSON, ELIZABETH PRESTON. Organization and Accomplishments of the W. C. T. U. in North Dakota, **32**: 522-5.
- ANDERSON, F. M. The Test of the Minnesota Primary Election System, **20**: 616-26.
- ANDERSON, GEORGE E. Developments in Chinese Labor Situation, **46**: 178-82.
- ANDERSON, GEORGE W. Progress in Legislation Concerning Industrial Accidents, **38**: 205-17.
- ANDERSON, GORDON B. Some Phases of the New Check Collection System, **63**: 122-31.
- ANDERSON, L. A. The Distribution of Surplus in Life Insurance: A Problem in Supervision, **26**: 708-20; Insurance Investments, **24**: 431-45.
- ANDERSON, MALCOLM P. Notes on the Mammals of Economic Value in China, **39**: 169-78.
- ANDERSON, MATTHEW. Berean School of Philadelphia and the Industrial Efficiency of the Negro, **33**: 111-18.
- ANDERSON NEAL L. Child Labor Legislation in the South, **25**: 491-507.
- Andover House, **2**: 570.
- ANDREW, A. PIATT. The Need for Currency Reform, **37**: Sup. J., '11, 19-25; The Problem Before the National Monetary Commission, **36**: 479-91.
- ANDREWS, CHAMPE S. The Importance of the Enforcement of Law, **34**: 85-9.
- ANDREWS, CHARLES M. The Origin of Connecticut Towns, **1**: 165-91.
- ANDREWS, FRANK. Car-Lot Markets and How They are Supplied, **50**: 1-9.
- ANDREWS, JOHN B. A National System of Labor Exchanges in Its Relation to Industrial Efficiency, **61**: 138-45.
- Anglo-German Agreement of 1900, **39**: 40.
- Japanese alliance, **39**: 42.
- ANGLO-NORMAN LAW, MARRIED WOMEN'S PROPERTY IN ANGLO-SAXON AND, **4**: 233-64.
- Annalen des Deutschen Reichs für Gesetzgebung, Verwaltung und Statistik*, **4**: Sup. Mch., '94, 118.
- Annalen des Norddeutschen Bundes und des Deutschen Zollvereins*, **4**: Sup. Mch., '94, 117.
- Annuities: **8**: 469; payment of, **59**: Sup. M., '15, 68. See Insurance, Investments.
- Ansichten der Volkswirtschaft aus dem geschichtlichen Standpunkt*, **4**: Sup. Mch., '94, 114.
- Anthrax: **17**: 48; child labor, **29**: 35-49; coal trusts, **42**: 93; industrial fatalities, **21**: 34; rates, **55**: 230; strike commission, **38**: 344; wages, **16**: 497.
- Coal Operators' Association, **17**: 17.
- ANTHRACITE BOARD OF CONCILIATION, THE, **36**: 366-72.
- ANTHRACITE COAL INDUSTRY, THE EXTENT OF CHILD LABOR IN THE, **29**: 35-49.
- ANTHRACITE COAL STRIKE, THE, **17**: 15-52.
- ANTHRACITE MINERS, THE INVESTOR'S INTEREST IN THE DEMANDS OF THE, **21**: 36-45.
- ANTHRACITE-TIDEWATER CANALS, THE, **31**: 102-16.
- Anthropology, sociology and, **8**: 29.
- ANTI-CHILD LABOR MOVEMENT, THE BASIS OF THE, IN THE IDEA OF AMERICAN CIVILIZATION, **32**: Sup. J., '08, 1-3.
- ANTI-ORIENTAL MOVEMENT, THE SUPPORT OF THE, **34**: 231-8.
- Anti-saloon league, **32**: 471, 482-507; **34**: 572. See Alcohol, Liquor, Local option, Prohibition.
- ANTI-SALOON LEAGUE AS A POLITICAL FORCE, THE, **32**: 497-507.
- ANTI-SALOON LEAGUE, THE WORK OF THE, **32**: 482-96.
- ANTI-SUFFRAGISTS, THE POSITION OF, **35**: Sup. M., '10, 16-22.
- ANTI-TRUST LAW, THE DRUG TRADE AND THE, **32**: 69-74.
- ANTI-TRUST LAW, EFFECT OF THE, ON GENERAL BUSINESS, **42**: 246-50.
- ANTI-TRUST LAW. THE EFFECT OF THE SHERMAN, ON THE BUSINESS OF THE COUNTRY, **42**: 263-70.
- ANTI-TRUST LAW, THE SHERMAN, AND THE BUSINESS OF THE COUNTRY, **42**: 219-37.
- ANTI-TRUST LAWS, "COÖPERATION" AND THE, **63**: 69-83.
- Anti-trust legislation, **5**: 69-83, 570; **24**: 111-22; **32**: 45, 63, 69-74; **42**: 219-37, 246-50, 263-70, 289-95; **55**: 41-4; **59**: 213; **63**: 69. See Federal Trade Commission, Railroads, Sherman Act, Trusts.
- ANTI-TRUST LEGISLATION, ECONOMIC AND UNECONOMIC, **5**: 569-72.
- ANTI-TRUST LEGISLATION, EFFECTS OF ON BUSINESS, **32**: 45-9.
- ANTI-TRUST LEGISLATION, LIMITATIONS OF, **42**: 296-302.
- ANTI-TRUST LEGISLATION, NECESSITY AND PURPOSE OF, **32**: 63-8.
- ANTI-TRUST LEGISLATION, REVIEW AND CRITICISM OF, **42**: 289-95.
- Antiquity, **4**: Sup. Mch., '94, 16.
- Antwerp, **14**: 149; **29**: 398; **55**: 61, 77.
- Apartments, **51**: 37. See Housing.
- Appalachian Mountains, **35**: 403.
- APPALACHIAN MOUNTAIN CLUB, THE, **35**: 393-400.
- Appalachian region, **45**: 139.

- APPALACHIAN (SOUTHERN) PARK RESERVE AS A NATIONAL PLAYGROUND, **35**: 401-8. See Recreation.
- Appointment: power of, **4**: 894; **14**: 84. See Administration, Executive.
- Apportionment: **63**: 218-19; state legislatures, **29**: Sup. Mch., '07, 44.
- APPORTIONMENT. THE FIRST APPORTIONMENT OF FEDERAL REPRESENTATIVES IN THE UNITED STATES, **9**: 1-41.
- APPRAISEMENTS, **25**: 21-31. See Valuation.
- Apprentice school, **44**: 77.
- APPRENTICESHIP SYSTEM AT THE BALDWIN LOCOMOTIVE WORKS, PHILADELPHIA, **33**: 175-7.
- APPRENTICESHIP SYSTEM OF THE GENERAL ELECTRIC COMPANY AT WEST LYNN, MASSACHUSETTS, **33**: 141-50.
- APPRENTICE SYSTEM ON THE NEW YORK CENTRAL LINES, **33**: 163-74.
- Appropriations: **41**: 67; **62**: 10-11, 51-4, 56-8, 78, 86, 104-5, 168-70, 185, 242-4; **62**: 52, 169-70; Illinois, **62**: 76; Massachusetts, **62**: 101, 110; revenue, **62**: 103-4; sectarian institutions, **29**: Sup. Mch., '07, 23, 64-5. See Budgets, Expenditures.
- Arbitration: **16**: 172; **20**: 17, 21-6, 29-34; **24**: 84, 285-95; **27**: 512; **36**: 37, 303, 307, 309, 311; **44**: 1, 2, 3, 13-14, 20, 22, 74; **45**: 59; **54**: 285; **60**: 211; **61**: 221, 224, 274; boards of, **17**: Sup. J., '01, 33; **44**: 13, 14, 20; compulsory, **36**: 302-10, 445; **44**: 3; **48**: 25, 35; **61**: 270; courts, **24**: 81; **61**: 274; international, **2**: 471; **22**: 35-44; Mexico, **54**: 165; treaties, **2**: 484. See Commercial Law, Labor, Strikes and Lockouts, Conciliation, Compulsory Arbitration.
- ARBITRATION OF INDUSTRIAL DISPUTES, **24**: 285-95.
- ARBITRATION, COMPULSORY, IN THE UNITED STATES, **36**: 302-10.
- ARBITRATION, GERMAN COURTS FOR THE, OF INDUSTRIAL DISPUTES, **36**: 445-52.
- ARBITRATION, INDUSTRIAL, IN AUSTRALIA, **37**: 203-21.
- ARBITRATION, NECESSITY OF INDUSTRIAL, **36**: 311-20.
- ARBITRATION, INDUSTRIAL CONCILIATION AND, **20**: 21-6.
- ARBITRATION OF INDUSTRIAL DISPUTES, THE GERMAN COURTS FOR THE, **36**: 445-78.
- ARBITRATION, INTERNATIONAL, **2**: 471-87.
- ARBITRATION, THE APPLICATION OF THE PRINCIPLE OF INTERNATIONAL, ON THE AMERICAN CONTINENTS, **22**: 35-44.
- ARBITRATION LIMITATIONS OF CONCILIATION AND, **20**: 29-34.
- ARCHITECTURAL PROBLEMS OF THE WORKINGMAN'S HOME, **51**: 48-53.
- Archiv der politischen Oekonomie*, **4**: Sup. Mch., '94, 116.
- Arctic Archipelago, **45**: 149.
- Argentine Republic: **22**: 162-4; **37**: 704, 707, 710, 713; **54**: 9, 11, 16, 63; **60**: 90; banks, **60**: 90; business houses, **61**: 58; coal, **60**: 52; commercial failures, **60**: 77; **61**: 51, 54; European war, **58**: 13-14; **59**: 313; **60**: 78; exports, **60**: 79; Mexico, **54**: 293; negroes, **54**: 11; Pan-American union, **54**: 128; population, **54**: 10; trade, **60**: 89.
- ARGENTINE COMMERCE WITH UNITED STATES AND EUROPE, **22**: 271-6.
- ARGENTINE REPUBLIC, THE SOCIAL EVOLUTION OF THE, **37**: 707-30.
- Aristotle, **1**: Sup. Mch., '91, 22; **4**: Sup. Mch., '94, 16; **43**: 36, 43, 251.
- ARISTOTLE AS A SOCIOLOGIST, **19**: 227-38.
- ARISTOTLE, THE POLITICAL PHILOSOPHY OF, **10**: 313-33.
- Arizona: **16**: 244; **53**: 17, 58; competition, **53**: 143; convict labor, **46**: 58; employment, **59**: 166; initiative and referendum in, **43**: 86, 104; recall, **43**: 104; tax commission in, **58**: 121, 122; wages, **48**: 467; women, **56**: 93.
- Arkansas: **16**: 93; **29**: Sup. Mch., '07, 26, 67, 71; assessments, **58**: 122; civil government, **17**: 528-9; competition, **43**: 104; convict labor, **46**: 88; initiative and referendum, **43**: 85, 86, 104; lease system, **46**: 5, 26-8; penitentiary, **46**: 28; population, **1**: Sup. F., '91; negroes, **49**: 52, 55; road camps, **46**: 88-9; tax commission, **58**: 121-3; valuations, **58**: 115.
- ARKANSAS, COUNTY ROAD CAMPS IN, **46**: 88-9.
- Armaments, **60**: 209.
- ARMOR, MARY HARRIS. Local Option and Its Results in Georgia, **32**: 480-1.
- ARMOUR, J. OGDEN. The Tariff and our Foreign Trade in Meats, **29**: 537-41.
- Arms and munitions of war, exportation, **60**: 151, 183-7; **61**: 240-1. See Belligerents.
- ARMS, AN ARGUMENT AGAINST THE EXPORTATION OF, **60**: 192-4.
- ARMS AND MUNITIONS OF WAR, THE RIGHT OF CITIZENS OF NEUTRAL COUNTRIES TO SELL AND EXPORT, TO BELLIGERENTS, **60**: 168-82.
- Armstrong Association, **49**: 90.
- ARMY, THE CONSTRUCTIVE WORK OF THE AMERICAN, **61**: 257-62.
- ARNOLD, BION J. The Urban Transportation Problem—A General Discussion, **37**: 3-13.
- ARNOLD, JOHN J. Financing of Cotton, **38**: 599-609.
- ARNSTEIN, LEO. The Federal Children's Bureau, **33**: Sup. Mch., '09, 30-4.
- ARONOVICI, CAROL. Cost Factors in Housing Reform, **51**: 25-33; A Housing Survey, **51**: 125-31; Housing and the Housing Problem, **51**: 1-7; Punishing the Innocent, **46**: 142-6; Suburban Development, **51**: 234-8.
- ART, CANADA AND HER, **45**: 171-6.
- ART, CIVIC, AND COUNTRY LIFE, **40**: 191-9. See Country Life.
- ART, THE NEGRO IN LITERATURE AND, **49**: 233-7.
- Arthur, Chester A., **4**: Sup. S., '93, 118.
- Articles of Confederation, **1**: 183.
- Asbestos, **45**: 132, 134, 140.
- ASBURY, CHARLES W. Tariff Rates on Hardware, **32**: 290-4.
- ASH, WILLIAM C. Philadelphia Trades School, **33**: 85-8.
- Asher, C. W., **4**: Sup. Mch., '94, 127.
- ASHER, JOE. County Road Camps in Arkansas, **46**: 88-9.
- Ashley, Lord: **4**: Sup. Mch., '94, 46.

- ASHLEY, PERCY. The Water, Gas, and Electric Light Supply of London, **27**: 20-36.
- ASHLEY, W. J. The Character of Villein Tenure, **1**: 412-25.
- Asia: European war and, **60**: 14; railways, **23**: 121-40; steamship service, **55**: 66-7; trade agreements, **55**: 79-83; women, **56**: 6-8.
- ASIATIC IMMIGRANTS, THE EXCLUSION OF, IN AUSTRALIA, **34**: 410-84.
- ASSESSED VALUES, REAL VS., OF REAL ESTATE IN PENNSYLVANIA, **58**: 158-67.
- Assessments: **20**: Sup. Meh., '07, 58; **41**: 118, 293; **51**: 244; **58**: 161-2; **62**: 126-7; Arkansas, **58**: 122; District of Columbia, **31**: 675, 679; land and buildings, **62**: 127; methods, **62**: 127-8; New York, **14**: 269; physical improvements, **62**: 130-1; revenue, **62**: 129-30; street and park openings, **62**: 130; uniformity, **57**: 131; **58**: 160.
- ASSESSMENT AND TAXATION, COUNTY, STATE SUPERVISION OF, **47**: 213-26.
- ASSESSMENT LIFE INSURANCE, **26**: 300-7.
- Assessors, **58**: 160-1.
- Assets: Philadelphia, **41**: 67; timber, bond companies, **41**: Sup. M., '12, 54, 70, 71; **63**: 209.
- Associated Charities of Boston, **19**: 313-16.
- Association of American Agricultural Colleges and Experiment Stations, **59**: 62.
- ASSOCIATION OF COLLEGES AND PREPARATORY SCHOOLS, **5**: 626-8.
- ASTREDO, J. C. Child Labor Committee of San Francisco, California, **35**: Sup. Meh., '10, 161; **38**: Sup. Jy., '11, 157.
- Ateliers sociaux*, **4**: Sup. Meh., '94, 81.
- Athens: municipal ownership, **57**: 261.
- ATKINS, EDWIN F. Tariff Relations with Cuba—Actual and Desirable, **32**: 321-9.
- Atkins, Thomas B., **4**: Sup. S., '93, 146.
- ATKINSON, FRED W. Technical Education at the Polytechnic Institute, Brooklyn, **33**: 97-104.
- Atlanta, charities: **20**: 462; **21**: 329-30; negroes, **10**: 300; prison, **21**: 331; reformatory, **21**: 330-1; university, **21**: 502-5.
- Atlantic City, **62**: 127.
- ATLANTIC COASTWISE CANALS: THEIR HISTORY AND PRESENT STATUS, **31**: 92-101.
- Atlantic Fruit Company, **55**: 71.
- Attorney-General, **63**: 14.
- Auction: car-lot shipments, **50**: 3; Germany, **50**: 163; European markets, **50**: 106; wholesale markets, **50**: 106.
- Auditing: **22**: 433-44; **26**: 665; **41**: 68; French and English cities, **62**: 209-10.
- AUDITING AND ACCOUNTING, METHODS OF, IN A BOND HOUSE, **30**: 284-91.
- AUDITING, RELATION OF, TO PUBLIC CONTROL, **26**: 665-80.
- AUDITING, THE VALUE OF, TO THE BUSINESS MAN, **22**: 433-44.
- AUSTIN, O. P. Our Trade with Hawaii and Porto Rico, **19**: 377-82; The Return of Prosperity, **34**: 563-8.
- Austin, Texas: bank, **20**: 571; commission, **38**: 967, 976.
- AUSTIN, TEXAS, THE COMMISSION AS IT OPERATES IN, **38**: 906-7.
- Austrian jurisprudence, **10**: 165-86. *See* Political science.
- Australasia, **48**: 20-1, 25; railways, **23**: 121-40; Asiatics, **24**: 211-15.
- AUSTRALASIA. METHODS OF DEALING WITH IMMIGRATION, **24**: 207-20. *See* Immigration.
- Australia: **4**: 451; **12**: 193, 205; **14**: 388; **21**: 183-208; **37**: 210; arbitration, **36**: 303; **37**: 36, 203, 311; **48**: 25; ballot, **2**: 733-50; banks in, **12**: 202; customs, **37**: 213; elections, **28**: 429; immigrants, **34**: 410-23; industries, **12**: 193-213; irrigation, **48**: 235; labor legislation, **33**: 440-7; land, **2**: 55; **12**: 206; minimum wage, **48**: 22-36; mining, **12**: 208; municipal institutions, **23**: 255; postal system, **12**: 200; roads, **12**: 195; steamship companies, **55**: 68; strikes and lock-outs, **36**: 208; **37**: 217; sweating, **48**: 26, 31; tariff, **32**: 318; telegraph, **12**: 198; telephones, **12**: 201; timber, **12**: 209; trade agreements, **55**: 85-6; voting, **2**: 733-50; wages, **48**: 33; water, **33**: 594; women, **56**: 93.
- AUSTRALIA, INDUSTRIAL ARBITRATION IN, **37**: 203-22.
- AUSTRALIA, THE EXCLUSION OF ASIATIC IMMIGRANTS IN, **34**: 410-23.
- AUSTRALIA, PRESENT STATE OF LABOR LEGISLATION IN, AND NEW ZEALAND, **33**: 440-8.
- AUSTRALIA, THE MINIMUM WAGE IN GREAT BRITAIN AND, **48**: 22-36.
- AUSTRALIA, THE MUNICIPAL INSTITUTIONS OF, **23**: 255-67.
- AUSTRALIAN COMMONWEALTH, THE NEW, **21**: 183-208.
- AUSTRALIAN EXPERIMENTS IN INDUSTRY, **12**: 193-213.
- Austria: **1**: 348, 463, 465; **1**: Sup. Meh., '91, 62; **2**: 217; **4**: 348; **44**: Sup. N., '12, 6; **61**: 35; banks in, **8**: 47; **11**: 48; coöperative credit, **46**: 173; railroads, **1**: 109, 344-9, 462-8; **23**: 121-40; wages, **48**: 25, 29, 30, 35; zone tariff system, **1**: 344-9.
- AUSTRIA, RAILROAD PASSENGER TARIFFS IN, **1**: 462-8.
- AUSTRIA, RAILROAD ZONE-TARIFF SYSTEM IN, **1**: 344-9.
- AUSTRIAN SYSTEM OF VOTING IN MASSACHUSETTS, PRACTICAL WORKING OF THE, **2**: 733-50.
- AUSTRIAN THEORY OF VALUE, **4**: 348-77.
- AUSTRIA, TRADE POSSIBILITIES IN GERMANY AND, **60**: 35-8.
- AUSTRIAN ECONOMISTS, THE, **1**: 361-84.
- Automobiles, **40**: 51.
- AUTOMOBILE SALES AND THE PANIC, **34**: 552-4.
- Autonomy, colonial, **19**: 392-407.
- d'Avity, Pierre, **1**: Sup. Meh., '91, 21, 51.
- AYRES, LEONARD P. What American Cities are Doing for the Health of School Children, **37**: 494-504.
- Babies' hospital, **41**: 253.
- BABSON, ROGER W. Barometric Indices of the Condition of Trade, **35**: 593-616; Factors Affecting Commodity Prices, **38**: 473-506; Sources of Market News, **35**: 617-26.
- BACHMAN, FRANK P. Attaining Efficiency in City School Systems, **41**: 158-75.

- BACON, HENRY. The Basis of Security for National Bank Notes, **3**: 597-606.
- Bagehot, Walter, **4**: Sup. Meh., '94, 128.
- Bagehot, William, **4**: Sup. Meh., '94, 44.
- Baggage, railroads, **1**: 109.
- BAILEY, WILLIAM L. The County Community and its Government, **47**: 14-25.
- BAKER, BERNARD N. Closer Commercial Relations with Latin-America, **37**: 738-42; The Importance of an American Merchant Marine, **60**: 52-7.
- BAKER, CHARLES WHITING. Necessity for State or Federal Regulation of Water Power Development, **33**: 583-96.
- BAKER, HARVEY H. Private Hearings—Their Advantages and Disadvantages, **36**: 80-4.
- BAKER, M. N. Municipal Ownership and Operation of Water-Works, **57**: 279-81.
- BAKER, NEWTON D. Municipal Ownership, **57**: 188-93.
- BAKER, RAY STANNARD. Problems of Citizenship, **49**: 93-104.
- BAKER, WILLIAM F. The Sweating or Third Degree System, **36**: 9-10.
- Balance of power, **16**: 4.
- BALCH, THOMAS WILLING. The Legal Status of Hudson's Bay, **45**: 47-55.
- BALDWIN, B. J. History of Child Labor Reform in Alabama, **38**: Sup. Jy., '11, 111-13.
- BALDWIN, D. C. The Budget Procedure of English and French Cities, **62**: 204-10.
- BALDWIN, F. SPENCER. Edited, with an Introduction by. The Living Wage of Women Workers, **37**: Sup. M., '11, 4-15; Recent Massachusetts Labor Legislation, **33**: 287-300; Retirement Systems for Municipal Employees, **38**: 6-14.
- BALDWIN, WILLIAM H. Prison Labor in the District of Columbia, **46**: 161-5; The Interest of Labor in the Economics of Railroad Consolidation, **15**: Sup. M., '00, 139-49.
- BALDWIN LOCOMOTIVE WORKS, PHILADELPHIA, APPRENTICESHIP SYSTEM AT THE, **33**: 175-7.
- BALDWIN LOCOMOTIVE WORKS, SOME FEATURES OF THE LABOR SYSTEM AND MANAGEMENT AT THE, **21**: 1-9.
- Ballot: **2**: 751-71; **7**: 413; **14**: 385; **16**: 151; **20**: 639-40; **29**: Sup. Meh., '07, 28-9; **56**: 108; Australia, **2**: 733-50; equal, **35**: Sup. M., '10, 9; long, **47**: 7-8; Maryland, **17**: 533; negro, **49**: 100; New York, **8**: 45; **14**: 137; Ohio, **8**: 196; Pennsylvania, **2**: 751-71; **14**: 385; **16**: 151; **20**: 639-40; representation, **2**: 702; women, **35**: Sup. M., '10, 30. *See* Short Ballot, Voting.
- BALLOT, THE SOCIALIZING INFLUENCE OF THE, UPON WOMEN, **56**: 105-10.
- Baltic ports: agreements in trade with, **55**: 78; lines to, **55**: 63.
- Baltimore: **3**: 745; **7**: 507; **10**: 425; **12**: 307; **13**: 223; **15**: 476; **17**: 351-2; **25**: 619-20; **27**: 402-3; **50**: 22, 115; **55**: 51, 53; banks, **5**: 551; charities, **20**: 462-3; **23**: 180; **25**: 193; charter, **11**: 425; **12**: 307; **13**: 223; **27**: 168; **37**: 168-79; civic organizations, **27**: 402; civil service, **17**: 142; cost of living, **18**: 41; education, **25**: 168-70; government, **3**: 745; housing, **1**: Sup. F., '91, 8; infant mortality, **31**: 487; lighting, **15**: 476; liquor, **23**: 371; markets, **50**: 109-27; 139-52; negroes, **49**: 24, 81, 222; parks, **23**: 555; paving, **29**: 576; water, **30**: 567; **48**: 223.
- BALTIMORE. UNDER ITS NEW CHARTER, **27**: 168-79.
- BALTIMORE, EDUCATIONAL ORGANIZATION AND PROGRESS IN, **25**: 168-70.
- BALTIMORE'S MARKETS, **50**: 119-27.
- Bananas, **55**: 71.
- BANCROFT, WILLIAM A. Moderation in Control of Public Service Corporations, **31**: 701-2.
- BANFIELD, MAUD. Some Unsettled Questions in Hospital Administration in the United States, **20**: 328-55.
- Banking: **2**: 336; **11**: 191-224; **12**: 238; **13**: 46, 50; **18**: 286-9; **37**: Sup. J., '11, 4, 6; **44**: Sup. M., '12, 66; **60**: 136-7; **63**: 133, 145; Canada, **5**: 553; **36**: 541; **45**: 158, 161-3; competition, **44**: Sup. N., '12, 72; **63**: 99; currency, **31**: 420-47; Europe, **37**: Sup. J., '11, 21; foreign, **36**: 502-11; **63**: 153; national, **5**: 531-56; **6**: 592; New York, **63**: 135; Philippine Islands, **20**: 27-37; **30**: 38-44; Russia, **5**: 242-56; single-name paper, **59**: 228; Tennessee, **36**: 633; Toronto, **58**: 200. *See* Branch Banks, Banks.
- BANKING, AMERICAN, THE EXTENSION OF, IN FOREIGN COUNTRIES, **36**: 502-10.
- BANKING, AMERICAN, AND THE MONEY SUPPLY OF THE FUTURE, **3**: 559-72.
- BANKING. THE BASIS OF SECURITY FOR NATIONAL BANK NOTES, **3**: 597-606.
- BANKING, BRANCH, AMONG THE STATE BANKS, **36**: 626-39.
- BANKING, CANADIAN, **45**: 158-70.
- BANKING. THE CANADIAN BANKING SYSTEM AND ITS OPERATION UNDER STRESS, **36**: 538-62.
- BANKING. CURRENCY AND FINANCE IN THE PHILIPPINE ISLANDS, **30**: 27-37.
- BANKING. ENGLISH METHODS OF LENDING AS CONTRASTED WITH AMERICAN, **36**: 511-22.
- BANKING. ENLARGEMENT OF CLEARING HOUSE FUNCTIONS, **36**: 607-12. *See* Clearing House.
- BANKING, THE EXTENSION OF AMERICAN, IN FOREIGN COUNTRIES, **36**: 502-10.
- BANKING. THE INFLUENCE OF THE FEDERAL RESERVE ACT UPON COMMERCIAL BORROWING, **59**: 226-35.
- BANKING, NEGLECTED ASPECTS OF CURRENCY AND, **31**: 420-47.
- BANKING. TRUST COMPANIES AND RESERVES, **31**: 463-9.
- BANKING AMONG THE POOR: THE LIGHTHOUSE SAVINGS FUND EXPERIMENT, **18**: 286-9.
- BANKING IN MEXICO, **37**: 609-17.
- BANKING, PROPOSED REFORMS OF THE MONETARY SYSTEM, **11**: 191-224.
- BANKING PROBLEMS, **36**: N., '10.
- BANKING IN RUSSIA, MORTGAGE, **5**: 242-56.



- BANKING SYSTEM, COMPLETING THE REFORM OF OUR, **63**: 142-54.
- BANKING SYSTEM, NATIONAL, AND FEDERAL BOND ISSUES, **36**: 592-606.
- BANKING SYSTEM—OLD AND NEW, **3**: 581-96.
- BANKING SYSTEM, THE READJUSTMENT OF OUR, AND THE UNIFICATION OF THE CURRENCY, **31**: 335-44.
- Banks: **2**: 185; **3**: 536; **5**: 531-56; **6**: 397-411; **11**: 213; **15**: 164; **21**: 289; **31**: 439, 697; **32**: 14, 15; **36**: 693; **37**: 686, 689; **45**: 160; **63**: 97, 107-9, 116-20, 142; agriculture, **30**: 38; Belgium, **17**: 467-9; Canadian, **11**: 210; **36**: 544, 547, 559; central, **31**: 345, 355-61, 372; **37**: Sup. J., '11, 30; **63**: 89; China, **39**: 167; classification of, **36**: 88, 89, 124; commercial, **11**: 44-53; country, **36**: 654-68; county, **36**: 654; English, **36**: 516; establishment, **54**: 252; European, **36**: 483; federal reserve, **63**: 151; foreign, **59**: 304; **60**: 113; France **36**: 527; functions, **31**: 435; Germany, **36**: 529; Glasgow, **36**: 696; government control, **24**: 15; Indiana, **3**: 532; **36**: 695; Italy, **7**: 171; **8**: 484; Louisiana, **3**: 536; **36**: 695; Massachusetts, **3**: 538; Michigan, **3**: 19; Minnesota, **36**: 631; mutual saving, **36**: 640; mutual and stock savings, **63**: 88; national, **3**: 529, 573; **20**: 475-92; **24**: 43-66; **31**: 395; **36**: 669-92; **37**: Sup. J., '11, 5; **60**: 117; negro, **27**: 544-5; **49**: 158; Nova Scotia, **45**: 60; Ohio, **3**: 535; Philippine Islands, **8**: 45-51; **30**: 38, 45-51; postal, **8**: 461-90; **11**: 44-53; **30**: 45-51; reserves, **3**: 187; **36**: 523; **63**: 144; resources, **36**: 523-37; savings, **3**: 14-29; **4**: 297-9, 972-4; **7**: 157, 172; **8**: 471; **35**: 640-53, 686; **41**: Sup. M., '12, 59-61; state, **3**: 573; **36**: 626-39; 669-92; **37**: Sup. J., '11, 5. See Branch banks, Money, National Banks, Currency.
- BANK, CLEARING-HOUSE CERTIFICATES AND THE NEED FOR A CENTRAL, **31**: 361-6.
- BANK, THE NEED OF A CENTRAL, **31**: 345-54.
- BANK, A CENTRAL, AS A MENACE TO LIBERTY, **31**: 355-60.
- BANK FOR THE PHILIPPINE ISLANDS, THE AGRICULTURAL, **30**: 38-44.
- BANK, THE PHILIPPINE POSTAL SAVINGS, **30**: 45-51.
- BANK, RELATION OF A CENTRAL, TO THE ELASTICITY OF THE CURRENCY, **31**: 372-6.
- BANK, RESPONSIBILITY OF THE NATIONAL, IN THE PRESENT CRISIS, **20**: 475-92.
- BANK, A SUCCESSFUL SCHOOL SAVINGS, **4**: 297-8.
- BANK CIRCULATION, NATIONAL AND STATE, **3**: 573-80.
- BANK CREDITS, MONEY AND, IN THE UNITED STATES, **5**: 531-56.
- BANK DEPOSITORIES, THE INDEPENDENT TREASURY VS.: A STUDY IN STATE FINANCE, **20**: 571-603.
- BANK DEFALCATIONS: THEIR CAUSE AND CURE, **25**: 32-42.
- BANK RESERVES, UTILIZATION OF, IN THE UNITED STATES AND IN FOREIGN COUNTRIES, **36**: 523-37.
- BANK SYSTEM, THE OPERATION OF THE MUTUAL SAVINGS, IN THE UNITED STATES, AND THE TREATMENT OF SAVINGS DEPOSITS, **36**: 640-53.
- BANKS, BRANCH, AND OUR FOREIGN TRADE, **59**: 301-8.
- BANKS, BRANCH BANKING AMONG THE STATE, **36**: 626-39.
- BANKS, CONTROL OF STATE AND FEDERAL, **36**: 693-7.
- BANKS, COUNTRY, THE USE OF CREDIT CURRENCY BY, **36**: 654-68.
- BANKS, EXAMINATIONS OF, STATE AND NATIONAL, **36**: 669-92.
- BANKS. GOVERNMENT CONTROL OF, AND TRUST COMPANIES, **24**: 15-26.
- BANKS, THE INDEPENDENT TREASURY AND THE, **36**: 574-91.
- BANKS, NATIONAL, FINANCIAL REPORTS OF, AS A MEANS OF PUBLIC CONTROL, **24**: 43-66.
- BANKS, NATIONAL AND STATE, **3**: 529-58.
- BANKS, POSTAL SAVINGS, **8**: 461-90.
- BANKS, THE RELATION OF POSTAL SAVINGS TO COMMERCIAL BANKS, **11**: 44-53.
- BANKS, SCHOOL SAVINGS, **3**: 14-29; **4**: 972-4; **7**: 172.
- BANKS, THE GROWTH OF, STATE AND TRUST COMPANIES, **36**: 613-25.
- BANKS AND TRUST COMPANIES, GOVERNMENT CONTROL OF, **24**: 15-26.
- BANKS AND TRUST COMPANIES, INCREASE IN CAPITAL AND SURPLUS, **37**: Sup. J., '11, 5.
- BANKS, ENOCH MARVIN. Labor Supply and Labor Problems, **35**: 143-9.
- BANNARD, W. N., JR. Delaware Child Labor Committee. **38**: Sup. Jy., '11, 159-60.
- Baptist church, negroes, **49**: 61.
- Bar, **52**: 217-23.
- BAR, ORGANIZATION OF THE, **52**: 77-82.
- BARBER, HERBERT. Deferred Rebate Systems, **55**: 164-7.
- Barcelona, **29**: 395.
- BARKER, SAMUEL H. Burdens of False Capitalization, **48**: 189-95.
- Barley, **59**: 8, 10-11.
- BARNARD, META JACKSON. Minnesota Child Labor Committee, **33**: Sup. Mch., '09, 183-5.
- BARNARD, MILDRED M. Minnesota Child Labor Committee, **35**: Sup. Mch., '10, 175-6.
- BARNES, CHARLES B. Public Bureaus of Employment, **59**: 185-93.
- BARNES, EARL. Woman's Place in the New Civilization, **56**: 9-17.
- BARNES, MARY S. History: A Definition and a Forecast, **6**: 128-31.
- BARNETT, GEORGE E. The Growth of State Banks and Trust Companies, **36**: 613-25.
- BARNEY, WILLIAM JOSHUA. The Modern Terminal Port, **59**: 245-58.
- BAROMETRIC INDICES OF THE CONDITION OF TRADE, **35**: 593-616.



- BARRETT, JOHN. A Pan-American Policy: The Monroe Doctrine Modernized, **54**: 1-4; South America—Our Manufacturers' Greatest Opportunity, **34**: 520-31.
- BARROWS, DAVID P. Education and Social Progress in the Philippines, **30**: 69-82.
- BARROWS, SAMUEL J. Legislative Tendencies as to Capital Punishment, **29**: 618-21; Recent Tendencies in American Criminal Legislation, **23**: 493-501.
- BARTELME, MARY M. The Opportunity for Women in Court Administration, **52**: 188-90.
- BARTHELL, EDWARD E. Questions of Law Encountered in Timber Bond Issues, **41**: Sup. M., '12, 23-44.
- BARUS, MRS. CARL. Joint Committee on Child Labor in Rhode Island, **33**: Sup. Mch., '09, 192-3; **35**: Sup. Mch. '10, 186-9; **38**: Sup. Jy., '11, 183-4. *See also*, **32**: Sup. Jy., '08, 143;.
- BASCOM, JOHN. The Three Amendments, **27**: 597-609.
- BATES, FRANK GREENE. Commission Government in Kansas, **38**: 719-25.
- BATES, HELEN P. Australian Experiments in Industry, **12**: 193-213.
- Baths: Birmingham, **11**: 285; Boston, **9**: 156; **11**: 121; **12**: 152, 444; Chicago, **18**: 566; New York, **8**: 205; **9**: 465; Philadelphia, **11**: 127; **13**: 208; public, **13**: 280.
- BATHS, PUBLIC, **8**: 205-12.
- Bau und Leben des sozialen Körpers*, **4**: Sup. Mch., '94, 119.
- Baudeau, Abbé, **4**: Sup. Mch., '94, 24, 25.
- BAUER, PHILIP E. One Year of Honor System in Oregon, **46**: 105-8.
- Baumann, Ch. J., **1**: Sup. Mch., '91, 36, 38.
- Baumhauer, M. M. V., **1**: Sup. Mch., '91, 61, 94.
- Bavaria: **1**: Sup. Mch., '91, 45; **14**: 78, 91.
- BEARD, CHARLES A. The Budgetary Provisions of the New York Constitution, **62**: 64-8.
- BEARD, MARY R. The Legislative Influence of Unenfranchised Women, **56**: 54-61.
- de Beaufort, M., **1**: Sup. Mch., '91, 37, 41.
- BECK, HERBERT. The Value of Auditing to the Business Man, **22**: 433-44.
- BECK, JAMES M. The Federal Power over Trusts, **24**: 87-110; Limitations of Anti-Trust Legislation, **42**: 296-302.
- BECKER, CARL. Law and Practice of the United States in the Acquisition and Government of Dependent Territory, **16**: 404-20.
- Becker, K., **1**: Sup. Mch., '91, 94, 230, 235, 236.
- Beef, **50**: 50. *See* Meats.
- BEHLER, WILLIAM H. The Needs of the Navy, **26**: 161-9.
- Befugniss der Gewerbebetriebe*, **4**: Sup. Mch., '94, 57.
- Begging, street, **10**: 155.
- BEISSER, PAUL T. Unit Costs in Recreational Facilities, **62**: 140-7.
- BEITLER, ABRAHAM M. The Juvenile Court in Philadelphia, **20**: 271-6.
- Beiträge zur Lehre von den Banken*, **4**: Sup. Mch., '94, 120.
- BELCHER, ROBERT W. The Merit System and the County Civil Service, **47**: 101-11.
- Beleuchtung der sozialen Frage*, **4**: Sup. Mch., '94, 85.
- Belgium: **1**: Sup. Mch., '91, 61; **55**: 77; banks, **8**: 481; child labor, **28**: 303-11; constitution, **7**: Sup. M., '96, 9-14; 40; elections, **15**: 381; employment, **48**: 7; insurance, **17**: 467-9; voting, **18**: 275; waterways, **4**: Sup. S., '93, 103.
- BELGIUM, CHILD LABOR IN, **20**: 203-20.
- BELGIUM, COMPULSORY VOTING IN, **18**: 275-7.
- BELGIUM, CONSTITUTION OF THE KINGDOM OF, **7**: Sup. M., '96.
- BELGIUM'S GOVERNMENT INSURANCE BANK, **17**: 467-9.
- BELGIUM, THE NATIONAL COMPANY OF LIGHT RAILWAYS IN, **19**: 108-13.
- BELGIUM, PROPORTIONAL REPRESENTATION AND THE DEBATES UPON THE ELECTORAL QUESTION IN, **15**: 381-404.
- BELL, FINLEY F. The Illinois Budget, **62**: 73-84.
- Bell Telephone Company, **42**: 324. *See* Telephones.
- BELLIGERENCY, RECOGNITION OF CUBAN, **7**: 450-60.
- Belligerents: **7**: 450-61; **11**: 353; exportation of arms, **60**: 151-3, 168-82, 186-9, 231-3, 240-1; **61**: 83-91.
- BELLIGERENTS, THE RIGHT OF CITIZENS OF NEUTRAL COUNTRIES TO SELL AND EXPORT ARMS AND MUNITIONS OF WAR TO, **60**: 168-82.
- BELLIGERENTS, THE SALE OF MUNITIONS OF WAR BY NEUTRALS TO, **60**: 183-91.
- BELLINGRATH, EWALD, **4**: Sup. S., '93, 88-9.
- Belt lines, **59**: 254-5.
- BEMIS, EDWARD W. The Columbus Attempt to Secure Three-cent Fares, **18**: 479-85; Relation of Labor Organizations to the American Boy and to Trade Instruction, **5**: 209-41; Some Present-Day Issues of Public Utility Regulation, **57**: 62-71.
- BENEFIT ASSOCIATION, EMPLOYEES', OF THE INTERNATIONAL HARVESTER COMPANY, **33**: 246-57.
- BENNET, WILLIAM S. Immigrants and Crime, **34**: 117-24.
- BENNETT, E. H. Planning for Distribution of Industries, **57**: 216-21.
- Bentham, Jeremy, **3**: 133; **4**: Sup. Mch., '94, 49; **52**: 126, 127.
- BENTLEY, ARTHUR F. The Units of Investigation in the Social Sciences, **5**: 915-41.
- BEREAN SCHOOL OF PHILADELPHIA, THE, AND THE INDUSTRIAL EFFICIENCY OF THE NEGRO **33**: 111-18.
- BERGEN, FRANK. Restrictive Legislation Against Public Service Corporations in New Jersey, **31**: 659-70.
- Bering Sea controversy, **2**: 882; **45**: 63.
- BERKELEY, CALIFORNIA, UNDER COMMISSION FORM OF GOVERNMENT, **38**: 935-43.
- Berlin: **5**: 459, 635; **7**: 157; **8**: 418; **9**: 313; **12**: 155, 311; **15**: 294, 477-8; **21**: 325; banks in, **7**: 157; **12**: 156; charities, **9**: 313; **29**: 401-8; coöperative building society, **3**: 76; elections, **12**: 155; **15**: 478, 480; farms, **8**:

- 418; finance, **12**: 311; **15**: 477-8; gas, **12**: 156; government, **4**: 953-64; **14**: 94-8; **15**: 294; insurance, **5**: 997; population, **13**: 12; street railways in, **4**: 956-7; **7**: 144; **12**: 156; **15**: 437-40; water, **31**: 476.
- BERLIN WITHOUT AN OBERBÜRGERMEISTER, **14**: 94-8.
- BERLIN, STREET RAILWAY POLICY IN, **15**: 437-40.
- BERLIN, VACATION COURSES IN POLITICS AND ECONOMICS AT, **6**: 281-2.
- Berliner Revue*, **4**: Sup. Mch., '94, 85.
- Bermudas, trade, **55**: 69.
- BERNARD, ALFRED D. Annual Reassessment Versus the Unearned Increment Tax, **58**: 202-13.
- Bernhardi, Theodor, **4**: Sup. Mch., '94, 64-5.
- BERNHARDI, Criticism of Adam Smith, **4**: Sup. Mch., '94, 64, 87, 109, 127.
- BERNHEIMER, CHARLES S. The Jewish Immigrant as an Industrial Worker, **33**: 399-406.
- Bernouilli, J., **1**: Sup. Mch., '91, 33, 144.
- BERNSTEIN VS. "OLD-SCHOOL" MARXISM, **18**: 391-419.
- BERNSTORFF, J. H. VON. The Development of Germany as a World Power, **35**: Sup. J., '10, 7-14.
- Besold, Christoph, **1**: Sup. Mch., '91, 26.
- BETTS, WALTER C. Fire Insurance Rates and Methods, **22**: 413-26. The True Basis of Fire Insurance, **24**: 463-74.
- BEVERIDGE, ALBERT J. Child Labor and the Nation, **29**: 115-24; The Development of a Colonial Policy for the United States, **30**: 3-15; A Permanent Tariff Commission, **32**: 409-28.
- Bible, **29**: Sup. Mch., '07, 65.
- Bibliography: budgets, **62**: 277-87; China, **39**: 151-3; English Parliamentary Papers, **15**: 38-40; municipal government, **5**: 809, 999; **6**: 179, 341; National Consumers' League, **38**: Sup. S., '11, 77; referendum, **43**: 118-21; sociology, **5**: 650, 825, 1012; **6**: 193, 356, 572; stock exchanges, **35**: 699-714; town planning, **51**: 259-64.
- BICKNELL, ERNEST P. Problems of Philanthropy in Chicago, **21**: 379-88.
- Biddeford, Me., **18**: 354-6.
- BIEN, MORRIS. Legal Problems of Reclamation of Lands by Means of Irrigation, **33**: 664-76.
- Big business, **42**: 121, 223, 307, 316, 320, 325.
- BIG BUSINESS, THE FALLACY OF, **42**: 83-88.
- BIG BUSINESS, GOVERNMENT REGULATION OF, IN THE FUTURE, **42**: 238-45.
- BIG BUSINESS AND LABOR, **42**: 25-37.
- BIGELOW, WARREN. Constitutional Difficulties of Trust Regulation, **26**: 656-64.
- BILGRAM, HUGO. The Cause of Business Stagnation, **25**: 87-100.
- Bill of rights: **29**: Sup. Mch., '07, 8, 14, 21-3, 83; usual provisions of, 21, 22.
- BILLINGS, JOHN S. Public Health and Municipal Government, **1**: Sup. F., '91, 24.
- Bills: legislative, **29**: Sup. Mch., '07, 46, 49; limitations on introduction of, **43**: 61; passage of, **43**: 54; reading of, **43**: 60; revenue, **29**: Sup. Mch., '07, 45, 47, 86; titles of, **43**: 60.
- Bills of exchange, see Banking.
- Bimetallism, **3**: 293-305; **4**: 74, 79, 99, 425; **5**: 557-68; **7**: 181; **13**: 34. See Currency.
- BIMETALLISM, HOW TO SAVE, **5**: 557-68.
- BINGHAM, THEODORE A. Administration of Criminal Law—Third Degree System, **36**: 11-15.
- BINNEY, CHARLES C. The Merits and Defects of the Pennsylvania Ballot Law of 1891, **2**: 751-71.
- Biologic sociology, **6**: 562.
- BIOLOGIC SOCIOLOGY, FAILURE OF, **4**: 919-47.
- Biology, **4**: 919-47; **5**: 740; **7**: Sup. J., '96, 7-9; **10**: 183. See Sociology.
- Birmingham, England, **3**: 692-4; **9**: 305; **11**: 285; **14**: 143; **62**: 205-6, 208.
- BIRMINGHAM (ALA.) UNDER THE COMMISSION PLAN, **38**: 929-34.
- BIRTH-RATE, SIGNIFICANCE OF A DECREASING, **5**: 48-89.
- BIRTHS. THE SIGNIFICANCE OF THE DECREASING PROPORTION OF CHILDREN, **34**: 71-80. See Children.
- Bismarck, **44**: Sup. N., '12, 14, 17.
- BIXBY, JAMES T. Report of the Committee of the National Consumers' League on Lecturers. **38**: Sup. S., '11, 44; Report of The Lecture Committee of the National Consumers' League. Tenth Report for two years ended March 2, 1909. **34**: Sup. Jy., '09, 51-2.
- BLACK, MRS. ELMER. Communal Benefits from the Public Control of Terminal Markets, **48**: 149-53.
- BLACK, J. WILLIAM. Maine's Experience with the Initiative and Referendum, **43**: 159-78.
- BLACK, R. M. The Ethics of the Declaration of Independence, **2**: 138-44.
- BLACKMAR, FRANK W. Indian Education, **2**: 813-37; Kansas Child Labor Committee, **35**: Sup. Mch., '10, 164.
- BLAKEY, ROY G. Amending the Federal Income Tax, **58**: 32-43.
- Blanc, Louis, **4**: Sup. Mch., '94, 79-82, 97.
- BLANKENBURG, RUDOLPH. Remarks As Presiding Officer, at the Conference of American Mayors, Nov. 12-14, 1914, **57**: 2-4, 7, 277.
- Blavet, Abbé, **4**: Sup. Mch., '94, 34.
- BLINDNESS, PREVENTION OF INFANTILE, **37**: 517-31.
- BLISS, TASKER H. The Important Elements in Modern Land Conflicts, **26**: 99-120.
- BLOCK, MAURICE. The Progress of Economic Ideas in France, **4**: 1-33. See also **1**: Sup. Mch., '91, 23, 93, 98.
- Blockade, meaning, **60**: 219-20.
- BLOOMFIELD, MEYER. The New Profession of Handling Men, **61**: 121-6.
- BLUE, LEONARD A. Recent Tendencies in State Administration, **18**: 434-45.
- BOARDMAN, MABEL T. Red Cross Measures for the Prevention of Disasters, **38**: 90-3.
- Bodin, Jean, **1**: Sup. Mch., '91, 25.
- Boeckh, A., **1**: Sup. Mch., '91, 16.
- Boeckh, R., **1**: Sup. Mch., '91, 27, 28, 36, 47, 95, 233.
- Boecler, John Heinr., **1**: Sup. Mch., '91, 26.
- BOGART, E. L. Financial Procedure in State Legislatures, **8**: 236-58.
- v. BÖHM-BAWERK, E. The Austrian Economists, **1**: 361-84; Historical vs. Deductive

- Political Economy, **1**: 244-71; The Function of Saving, **17**: 454-66; The Ultimate Standard of Value, **5**: 149-208. *See also* **17**: 95-8.
- Böhmert, Carl, **35**: 442.
- BÖHMERT, WILHELM. The "Heide Park" of the Society for the Advancement of the Commonwealth in Dresden, **35**: 441-8.
- Bolivia, **27**: Sup. M., '06, **18**; **37**: 650; **54**: 5, 12.
- BOLL WEEVIL, NEGRO LABOR AND THE, **33**: 391-8.
- BOLLES, ALBERT S. Responsibility of the National Bank in the Present Crisis, **20**: 475-92.
- BOLLING, RAYNAL C. Results of Voluntary Relief Plan of United States Steel Corporation, **38**: 35-44; The United States Steel Corporation and Labor Conditions, **42**: 38-47.
- BOLSTER, WILFRED. Adult Probation, **52**: 132-9.
- Bonds: **4**: 51, 59, 76; **5**: 536; **30**: 412-27; **36**: 592; **41**: 1, 11, 23, 71, 117; **41**: Sup. M., '12, 1, 24, 53, 59, 73; **42**: 306; **53**: 168, 175; **60**: 131; **62**: 111-12; definition of, **58**: 95; houses, **30**: 204-91; **41**: Sup. M., '12, 23, 53; insurance companies, **41**: 70; Michigan, **41**: 59; Pasadena, **57**: 210; San Francisco, **19**: 151; **24**: 405; selling, **30**: 257, 259, 261-3, 269-83; taxation of, **13**: 413; **58**: 97; timber, **41**: Sup. M., '12, 45, 88. *See* Corporations, Finance Investments, Stocks.
- BOND ACCOUNTS, THE PROPER BASIS OF, WHEN HELD FOR INVESTMENT, **30**: 193-200.
- BONDS AS ADDITIONAL BANKING RESERVE, **30**: 292-311.
- BONDS, AMERICAN, SELLING IN EUROPE, **30**: 269-83.
- BONDS, CLASSIFICATION AND DESCRIPTION OF, **30**: 400-11.
- BONDS IN THEIR RELATION TO CORPORATION FINANCE, **30**: 412-27.
- BOND DEPARTMENT, VALUE OF A, TO A BANK OR TRUST COMPANY, **30**: 230-2.
- BONDS, ELECTRIC INTERURBAN RAILWAY, AS INVESTMENTS, **30**: 336-49.
- BONDS, ESSENTIAL RECITALS IN THE VARIOUS KINDS OF, **30**: 248-56.
- BOND HOUSE, THE ORGANIZATION AND MANAGEMENT OF A, **30**: 257-63.
- BONDS, INDUSTRIAL, AS AN INVESTMENT, **30**: 374-83.
- BONDS AS INVESTMENT SECURITIES, **30**: S., '07.
- BOND ISSUES, MUNICIPAL EXPLAINED, **30**: 389-95.
- BOND ISSUES, NATIONAL BANKING SYSTEM AND FEDERAL, **36**: 592-606.
- BOND LAW, TEXAS STOCK AND, **53**: 162-71.
- BONDS, MUNICIPAL, THE PROTECTION OF, **30**: 396-9.
- BONDS, THE PHYSICAL CONDITION OF MUNICIPALITY ISSUING, **30**: 384-8.
- BONDS, RAILROAD, AS AN INVESTMENT SECURITY, **30**: 312-35.
- BONDS, REAL ESTATE, AS AN INVESTMENT SECURITY, **30**: 350-73.
- BOND REDEMPTION AND SINKING FUNDS, **30**: 213-29.
- BOND SALESMANSHIP, **30**: 264-8.
- BONDS AND STOCKS, CONVERTIBLE, **35**: 579-92.
- BOND VALUES, TABLES OF, **30**: 233-47.
- BONDS, THE VALUATION OF, ON AN INCOME BASIS, **30**: 201-12.
- BONN, MORITZ J. Commercial Isolation versus International Trade, **61**: 60-5.
- Bonuses, **42**: 102.
- BOOK PUBLISHING, **28**: 1-15.
- Boot and shoe industry, unemployment, **61**: 162-4.
- BOOT AND SHOE INDUSTRY, TRADE TEACHING IN THE, **33**: 155-62.
- BOOTS AND SHOES AND THE TARIFF, HIDES, LEATHER, **32**: 295-9.
- BORAH, WILLIAM E. The State and the Nation in Child Labor Regulation, **38**: Sup. Jy., '11, 154-5.
- BORCHARD, EDWIN M. State Indemnity for Errors of Criminal Justice, **52**: 108-14.
- Borden, R. L., **45**: 1, 18, 28.
- BORNHAK, CONRAD. Local Government of Country Communities in Prussia, **3**: 393-408; Rudolf von Gneist, **7**: 253-69.
- VON BOROSINI, VICTOR. Our Recreation Facilities and the Immigrant, **35**: 357-67.
- Borromeo, Cardinal Charles, **1**: Sup. Mch. '91, 20.
- BORROWING, THE INFLUENCE OF THE FEDERAL RESERVE ACT UPON COMMERCIAL, **59**: 226-35.
- Boss: **43**: 22; convention system, **43**: 3; courts, **43**: 29; in Maine, **43**: 163; party, **16**: 184; power, **43**: 21, 23. *See* Civil Service, Political Parties.
- BOSTEDO, L. G. The Function of Saving, **17**: 95-9.
- Boston: **3**: 744; **5**: 631, 908, 994, 1007; **8**: 410-11; **9**: 155, 293-5, 470-1, 475; **10**: 124, 136, 293, 295, 305; **11**: 119, 278, 282, 423; **12**: 148-9, 151-2, 304-5, 443-4; **13**: 125-6, 138, 225, 273, 412; **14**: 139, 142, 391; **15**: 118-19, 181, 199; **16**: 156, 320, 482; **22**: 397, 536; **24**: 36, 406; **25**: 384-5, 402, 616-19; **29**: 370, 574; **35**: 409; **37**: Sup. M., '11, 21, 90; **41**: 281; accounting, **21**: 316; **28**: 453-9; baths, **9**: 156; **11**: 121; **12**: 152, 444; **15**: 118; charities, **19**: 313; **22**: 397-8; **25**: 402-3; **41**: 191; charter, **6**: 173; **11**: 119; clearing house, **59**: 228-9; cost of living, **48**: 41; county expenditures, **47**: 148; drunkards, **13**: 288; education, **13**: 284; **25**: 167-8; electric light, **27**: 207; employment, **14**: 140; **61**: 121; finance, **6**: 336; **11**: 424; **16**: 156; franchise, **9**: 155; **11**: 284; gas, **11**: 280; **15**: Sup. M., '00, 50; **27**: 207; **31**: 593; government, **3**: 744; housing, **1**: Sup. F., '91, 8; **14**: 139; **20**: 125, 128; industrial bureau, **57**: 274; institutions, **10**: 305; juvenile court, **35**: Sup. Mch., '10, 142; labor, **14**: 14; land, **58**: 153-4; legislation, **13**: 225; libraries, **14**: 391-2; lighting, **57**: 37; loan associations, **9**: 475; mayor, **11**: 281; metropolitan park system, **35**: 280-6; municipal court, **52**: 135; municipal gymnasium, **9**: 471; **15**: 119; municipal markets, **50**: 139-52; municipal statistics, **12**: 149; **13**: 273; newsboys, **35**: Sup. Mch. '10, 139; newspapers, **11**: 282; parks, **11**: 121; **12**: 152-304; **35**: 280; **51**: 178; recreation, **12**: 444; **16**: 320; **35**: 409-19; schools, **15**: 181, 199; street railways, **9**: 295, 470; **11**: 119, 278; **13**: 273; **14**: 142; **16**: 320; **21**: 121; **27**:

- 103-8; **37**: 22; **44**: 19, 20, 22; subways, **9**: 295, 470; **12**: 445; taxation, **16**: 156; trades schools, **13**: 138; transit, **51**: 159; trolley freight, **48**: 220; vagrancy, **19**: 512; water, **11**: 121; **13**: 272; women workers, **37**: Sup. M., '11, 4-15.
- BOSTON CONSOLIDATED GAS COMPANY, THE: ITS RELATION TO THE PUBLIC, ITS EMPLOYEES, AND INVESTORS, **31**: 593-9.
- BOSTON'S COUNTY PROBLEMS, **47**: 134-52.
- BOSTON, THE FIELD AND FOREST CLUB OF, **35**: 409-19.
- BOSTON, HOUSING CONDITION IN, **20**: 123-36.
- BOSTON METROPOLITAN PARK SYSTEM, THE, **35**: 280-6.
- BOSWELL, HELEN VARICK. Women and Prison Labor, **46**: 17-21.
- BOSWORTH, LOUISE MARION. The Living Wage of Women Workers, **37**: Sup. M., '11 16-90.
- Botany, **59**: 45.
- Boundaries commission, Canadian, **45**: 58.
- disputes (Latin American), **22**: 51.
- BOURINOT, JOHN G. Canada and the United States, **1**: 1-25; Elected or Appointed Officials? A Canadian Question, **5**: 653-83.
- BOURNE, FRANK A. The Workingman's Home and its Architectural Problems, **51**: 48-53.
- BOURNE, JONATHAN, JR. Functions of the Initiative, Referendum and Recall, **43**: 3-16.
- Bourse du Travail, Paris, **16**: 168.
- BOWN, C. ELMER. Some Defects in the Present Pennsylvania Statute on Public Utilities, **53**: 45-53.
- Boxer uprising, **39**: 41.
- Boycotts, **5**: 28-47; **34**: 290, 363; **36**: 273, 275, 319; **42**: 161, 186; **44**: 107-9. See Lockouts, Strikes, Trade unions.
- BOYCOTT DECISIONS, EFFECT OF THE RECENT, **36**: 277-87.
- BOYCOTTING, PEACEABLE, **5**: 28-47.
- BOYD, JAMES HARRINGTON. Some Features of Obligatory Industrial Insurance, **38**: 23-30.
- BOYD, WILLIAM. Agreements and Conferences in their Relation to Ocean Rates, **55**: 194-204.
- BOYLE, JAMES E. County Budgets: Economy and Efficiency in Expenditures, **47**: 199-212; The Relation Between Federal and State Taxation, **58**: 59-64.
- Boys, delinquent, **46**: 72-7.
- BOYS, THE ACTIVITIES OF DELINQUENT, **46**: 72-7.
- Brachet, A., **4**: Sup. Mch., '94, 100.
- BRADDOCK, J. HAROLD. Efficiency Value of the Budget Exhibit, **41**: 151-7; Some Suggestions for Preparing a Budget Exhibit, **62**: 148-62.
- BRADFORD, ERNEST S. Adoption of the City-Manager Plan;<sup>1</sup> History and Underlying Principles of Commission Government, **38**: 673-81; Prussian Railway Administration, **29**: 310-22; Water Terminals in the United States and Their Control, **55**: 237-42.
- BRADFORD, GAMALIEL. Congress and the Cabinet, **2**: 289-99; Congress and the
- Cabinet, II, **4**: 404-24; Our Failures in Municipal Government, **3**: 691-702; The Reform of our State Governments, **4**: 883-903.
- Bradford, Eng., municipal express service, **57**: 201.
- Branch banks: Buenos Aires, **59**: 304; foreign countries, **59**: 305; South America, **59**: 306, 316-17. See Banking, Banks.
- BRANCH BANKS AND OUR FOREIGN TRADE, **59**: 301-8.
- BRAND, CHARLES J. The Office of Markets of the United States Department of Agriculture, **50**: 252-9.
- BRANDEIS, LOUIS D. Interlocking Directorates, **57**: 45-9.
- BRANDT, LILIAN. Social Aspects of Tuberculosis, **21**: 407-18.
- BRANSON, WALTER J. The Philadelphia Nominating System, **14**: 18-37; The New York Primary Election Law, **11**: 381-3; Tendencies in Primary Legislation, **13**: 346-63.
- BRAUCHER, HOWARD S. Play and Social Progress, **35**: 325-33.
- BRAUN, MARCUS. How Can We Enforce Our Exclusion Laws? **34**: 360-2.
- Brazil: **22**: 162-4; **37**: 645-6; **54**: 9, 10, 15, 16, 63, 293; **60**: 151-3; **61**: 51-2; exports, **60**: 74, 81; neutrality, **61**: 50; trade agreements, **55**: 87, 88.
- BRAZIL, THE NEUTRALITY RULES ADOPTED BY, **60**: 147-54.
- BRECKENRIDGE, R. M. Vacation Course of the Verein für Social-politik, **7**: 69-73.
- BRECKINRIDGE, S. P. Political Equality for Women and Women's Wages, **56**: 122-33.
- Bremen, **29**: 393; **55**: 58.
- Brentano, Lujo, **4**: Sup. S., '93, 96-7.
- Breslau, market-hall in, **50**: 160.
- BREWER, FRANKLIN N. Child Labor in the Department Store, **20**: 167-77.
- BREWING INDUSTRY, THE PROSPERITY OF THE, **34**: 485-95.
- BREWING INDUSTRY, WORKINGMEN'S COMPENSATION IN THE, **38**: 31-4.
- Bribery: Brooklyn, **12**: 147; elections, **2**: 738.
- VON BRIESEN, ARTHUR. Respect for Law in the United States, **36**: 207-11.
- BRINDLEY, JOHN E. State Supervision of County Assessment and Taxation, **47**: 213-26.
- BRINKERHOFF, R. The National Prison Association, **4**: 454-5.
- BRISCO, NORRIS A. Working Conditions Necessary for Maximum Output, **61**: 174-82.
- Bristow-Mondell Amendment, **56**: 55, 63.
- British agriculture, economic aspects of, **14**: 204-19.
- Association for the advancement of science, meeting of, at Toronto, **10**: 464.
- budget, **62**: 59.
- business houses, Buenos Aires, **61**: 57.
- colonies, **30**: 17.
- Columbia: **45**: 2-7, 9, 17, 26, 97, 101, 132-3, 158; banking, **45**: 158, 161-2; forests, **41**: Sup. M., '12, 10, 12, 13; immigrants, **45**: 9; reciprocity, **45**: 4; tariff, **45**: 4.

<sup>1</sup> See footnote, p. 27.



- BRITISH COLUMBIA AND BRITISH INTERNATIONAL RELATIONS**, 45: 1-19.
- British consols, prices of**, 60: 132-3.
- **coöperative retail societies**, 50: 236.
- **fleet, destruction**, 61: 265.
- **Indian emigration act**, 45: 118.
- **inter-department committee of physical deterioration**, 24: 593.
- **investments, Latin America**, 59: 331; 60: 61.
- **Isles, blockade**, 61: 265.
- **North America: bank**, 45: 160.
- — — — **act**, 3: 308; 45: 151.
- **ports: competition**, 55: 49.
- **taxation**, 58: 45-6.
- **women**, 35: Sup. M., '10, 24.
- BRITISH AND AMERICAN TRADE UNIONISM**, 26: 721-39. *See* Trade Unionism.
- BRITISH COLUMBIA AND BRITISH INTERNATIONAL RELATIONS**, 45: 1-19.
- BRITISH FINANCE AND THE EUROPEAN WAR**, 58: 44-58.
- BRITISH SYSTEM OF IMPROVING AND ADMINISTERING PORTS AND TERMINAL FACILITIES, THE**, 24: 507-24.
- BRITAIN, HORACE L.** The Movement for Improved Financing and Accounting Practice in Toronto, 62: 211-22.
- BRITTON, JAMES A.** Child Labor and the Juvenile Court, 33: Sup. Mch., '09, 111-15.
- BROKER, THE PURCHASE OR SALE OF SECURITIES THROUGH A STOCK**, 35: 506-24.
- Brooklyn**: 3: 742; 6: 336; 7: 150; 8: 427; 10: 472; 11: 115, 422; 12: 147; 15: 200; 17: 139, 149; 18: 356-7; 51: 9; bribery, 12: 147; education, 33: 97-104; farms, 8: 427; finance, 10: 472; gas, 7: 150; 11: 116; schools, 15: 198; street railways of, 7: 144; 11: 115; trade schools of, 5: 227.
- BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN, NEW YORK, PHILADELPHIA; STREET RAILWAYS IN THE UNITED STATES**, 7: 144-61.
- BROOKLYN, TECHNICAL EDUCATION AT THE POLYTECHNIC INSTITUTE**, 33: 97-104.
- BROOKS, JOHN GRAHAM.** Necessity for Social Insurance, 38: 86-9; Past and Present Arguments Against Child Labor, 27: 281-4; The Future Problem of Charity and the Unemployed, 5: 1-27.
- BROOKS, ROBERT C.** Berlin without an Oberbürgermeister, 14: 94-8; The Prussian Städtetag, 13: 364-9.
- BROOMALL, JOHN M.** Compulsory Voting, 3: 621-5.
- BROUGH, CHARLES HILLMAN.** Work of the Commission of Southern Universities on the Race Question, 49: 47-57.
- BROWN, CHARLES N.** The Park Movement in Madison, Wisconsin, 35: 297-303.
- BROWN, ERIC.** Canada and Her Art, 45: 171-6.
- BROWN, H. LARUE.** Massachusetts and the Minimum Wage, 48: 13-21.
- BROWN, PHILIP M.** The Monroe Doctrine: A Solution of Its Problem, 54: 119-23.
- BROWN, ROME G.** The Judicial Recall—A Fallacy Repugnant to Constitutional Government, 43: 239-77.
- BROWNE, HUGH M.** The Training of the Negro Laborer in the North, 27: 579-89.
- BROWNELL, J. L.** The Significance of a Decreasing Birth-Rate, 5: 48-89.
- BRUCE, ROSCOE C.** Training in Agriculture at Tuskegee, 21: 513-14.
- BRUÈRE, HENRY.** America's Unemployment Problem, 61: 11-23; The Budget as an Administrative Program, 62: 176-91; Development of Standards in Municipal Government, 61: 199-207; Efficiency in City Government, 41: 3-22; Public Utilities Regulation in New York, 31: 535-51; Some Commission Government Accomplishments and Deficiencies.<sup>1</sup>
- BRUÈRE, MARTHA BENSLEY.** Utilization of the Family Income, 48: 117-20.
- BRUMBAUGH, MARTIN G.** An Educational Policy for Spanish-American Civilization, 30: 65-8.
- Brussels, conference at**, 4: 516-17.
- BRYAN, J. WALLACE.** Proper Bounds of the Use of the Injunction in Labor Disputes, 36: 288-301.
- BRYAN, WILLIAM JENNINGS**, 43: 87; 54: 85, 208.
- Bryanism**, 18: 189-225.
- BRYANT, MRS. OLIVER C.** Los Angeles (California) Child Labor Committee, 35: Sup. Mch., '10, 160-1.
- BRYANT, WILLIAM K.** Outdoor Work in Michigan, 46: 90-1.
- BRYCE, JAMES.** Some Difficulties in Colonial Government Encountered by Great Britain and how they have been met, 30: 16-23. *See also*, 29: Sup. Mch., '07, 62.
- BRYCE'S AMERICAN COMMONWEALTH**, 7: 377-410.
- Bubonic plague, quarantine**, 16: 492.
- Buchanan, D.**, 4: Sup. Mch., '94, 45.
- BUCHANAN, WILLIAM I.** Latin America and the Mexican Conference, 22: 47-55.
- Bucher, K.**, 4: Sup. Mch., '94, 131.
- Bucher, L.**, 4: Sup. Mch., '94, 96.
- Buckle, H. T.**, 4: Sup. Mch., '94, 35, 36, 39.
- BUCKLEY, E. R.** Custody of State Funds, 6: 397-411.
- BUCKLIN, JAMES W.** The Grand Junction Plan of City Government and Its Results, 38: 757-72.
- BUCKSTAFF, FLORENCE G.** Married Women's Property in Anglo-Saxon and Anglo-Norman Law, 4: 233-64.
- Budgets**: 41: 16, 44, 71, 125, 138, 145, 150, 201, 208, 250, 257, 266, 284, 296, 306; 44: Sup. N., '12, 61-2; 62: 1, 3, 16-19, 21-3, 25-9, 30-46, 48, 50-1, 64-8, 96-7, 103, 113-14, 137, 165, 180-1, 189, 191-8, 206, 224-6, 229-30, 233-7, 242, 246-7, 251-2, 260-1, 265, 271; accounting, 62: 40-1, 139, 231-2, 256; appropriations, 62: 180; California, 62: 69-72; Chicago, 62: 270-6; city, 62: 235; city manager, 62: 163-75; Cleveland, 62: 15-35, 264-9; commission government, 38: 798-807; county, 47: 34, 199-212, 263; 62: 223-34; Cuba, 31: 129; Dayton, 62: 165-8, 170-1, 267; definition, 62: 15-16, 38, 47-8, 51, 118, 225, 229, 235; District of Columbia, 31: 681; education, 12: 146; efficient, 11: 138-50; 41: 138; England, 62: 204-10; estimates, 41: 145; executive, 62:

<sup>1</sup> See footnote, p. 27.



- 103-7; exhibits, **41**: 91, 151; family, **42**: 48; **44**: Sup. N., **12**: 57-63; **48**: 105; federal, **62**: 23, 29; France, **62**: 181-2, 204-10; Germany, **62**: 192-203; government, **62**: 1, 14; Great Britain, **58**: 57; Illinois, **62**: 73-90; Indiana, **47**: 251; Los Angeles, **62**: 227; Massachusetts, **62**: 101, 103; national, **62**: 277; national, state, county and municipal, **62**: 277-87; negro, **49**: 151, 157, 162; New England, **47**: 34; New York City, **62**: 176-83, 188, 227, 249-63; Ohio, **47**: 188; **62**: 91-100; Philadelphia, **62**: 138; standard, **41**: 139; state, **62**: 47-63; Toronto, **62**: 217; Westchester county, New York, **62**: 227-8; work of Board of Control in establishing a, system in California, **62**: 69-70. See Municipal Budgets.
- BUDGET, THE, AS AN ADMINISTRATIVE PROGRAM, **62**: 176-91.
- BUDGET, CALIFORNIA'S STATE, **62**: 69-72.
- BUDGETS, COUNTY, AND THEIR CONSTRUCTION, **62**: 223-34.
- BUDGETS, COUNTY: ECONOMY AND EFFICIENCY IN EXPENDITURES, **47**: 199-212.
- BUDGET EXHIBIT, EFFICIENCY VALUE OF THE, **41**: 151-7.
- BUDGET EXHIBIT, SOME SUGGESTIONS FOR PREPARING A, **62**: 148-62.
- BUDGET, THE GERMAN MUNICIPAL, AND ITS RELATION TO THE GENERAL GOVERNMENT, **62**: 192-203.
- BUDGET IDEA, EVOLUTION OF THE, IN THE UNITED STATES, **62**: 15-35.
- BUDGET, THE ILLINOIS, **62**: 73-84.
- BUDGET AND THE LEGISLATURE, THE, **62**: 36-46.
- BUDGET MAKING IN CHICAGO, **62**: 270-6.
- BUDGET MAKING IN CLEVELAND, **62**: 264-9.
- BUDGET MAKING, EFFICIENCY IN, **41**: 138-50.
- BUDGET MAKING FOR SMALL CITIES, **62**: 235-48.
- BUDGET MAKING, STATE, IN OHIO, **62**: 91-100.
- BUDGET MAKING AND THE WORK OF GOVERNMENT, **62**: 1-14.
- BUDGET METHODS IN ILLINOIS, **62**: 85-90.
- BUDGETS, SELECT LIST OF REFERENCES ON NATIONAL, STATE, COUNTY, AND MUNICIPAL, IN THE UNITED STATES, **62**: 277-87.
- BUDGET, THE PREPARATION OF ESTIMATES AND THE FORMULATION OF THE—THE NEW YORK CITY METHOD, **62**: 249-63.
- BUDGET, THE PROPER FUNCTION OF THE STATE, **62**: 47-63.
- BUDGET PROCEDURE, THE, OF ENGLISH AND FRENCH CITIES, **62**: 204-10.
- BUDGETARY PROCEDURE, ACCOUNTING BASIS OF, **62**: 136-9.
- BUDGETARY PROCEDURE UNDER THE MANAGER FORM OF CITY GOVERNMENT, **62**: 163-75.
- BUDGET PROVISIONS IN COMMISSION-GOVERNED CITIES, **38**: 798-807.
- BUDGETARY PROVISIONS, THE, OF THE NEW YORK CONSTITUTION, **62**: 64-8.
- BUDGET, TAXATION AND THE MUNICIPAL, **62**: 113-24.
- Buenos Aires: **19**: 152; **37**: 715-18; **59**: 304; **60**: 52, 80; **61**: 57-8.
- Buffalo: **6**: 557, 559; **7**: 353; **8**: 194; **9**: 156, 302, 468; **11**: 122; **12**: 152-3, 447; **14**: 275; **15**: 119; **16**: 483; **17**: 349; **19**: 491-3; **20**: 455; **22**: 79; **23**: 373-4; **24**: 583; **29**: 193, 371; **35**: 526; buildings, **62**: 127; charities, **14**: 275; **19**: 514; **61**: 181; charter, **21**: 483; civic organizations, **27**: 404; civil service, **19**: 492; cost of living, **48**: 41; education, **9**: 468; electric light, **27**: 210; elections, **9**: 157; **11**: 122; exchanges, **4**: Sup. S., '93, 57; **38**: 535, 545-70; family budgets, **48**: 69; franchises, **22**: 528; gas, **11**: 122; **12**: 447; **27**: 210; health, **9**: 156; housing, **21**: 318-20; infant mortality, **31**: 488; land values, **58**: 154; liquor, **23**: 373-4; municipal court, **52**: 100; municipal league, **25**: 388-9; parks, **23**: 556-7; **26**: 767; paving, **29**: 580; police, **24**: 583; railways, **22**: 528; reform organizations, **27**: 402-3; schools in, **12**: 152; street railways, **7**: 353; **8**: 195; **22**: 528; taxation, **28**: 155; voting machine, **15**: 119; water, **30**: 571.
- BUFFALO, JUVENILE COURTS IN, **20**: 279-85. See Juvenile Courts.
- BUFFALO, OMAHA, LONDON, AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS, **6**: 557-61.
- Building association, **3**: 355-6; **4**: 297.
- code, New York City, **13**: 271.
- and loan associations, **8**: 421; **10**: 468; **50**: 193-4.
- trades: Chicago, **17**: 567.
- BUILDING TRADES, SEASONAL OCCUPATION IN THE, **33**: 353-61.
- BUILDING TRADES, THE TRADE AGREEMENT IN THE, **27**: 510-16.
- Buildings: Boston, **14**: 139; materials, **51**: 26-8; regulations, **41**: 90; taxation, **58**: 183-8, 191-2, 224.
- Bulgaria, population, **61**: 36.
- Bulk carriers, regulation, **55**: 231.
- BULKLEY, WILLIAM L. The Industrial Condition of the Negro in New York City, **27**: 590-6.
- BULLION NOTES AND AN ELASTIC CURRENCY, **4**: 299-301.
- Bullitt Bill, **3**: 741-7.
- BURCH, HENRY R. Conditions Affecting the Suffrage in Colonies, **19**: 408-31.
- Burgomeister, Berlin, **57**: 194.
- BURGUNDER, B. B. The Declaration and Yield of Stockholders' Rights, **35**: 554-78.
- BURK, ANNIS, The Indianapolis Market, **50**: 131.
- Burke foundation, **20**: 654.
- Burke, E., **4**: Sup. Mch., '94, **36**: 60.
- BURKE, W. M. The Anti-Saloon League as a Political Force, **32**: 497-507.
- BURKS, JESSE D. Clean Milk and Public Health, **37**: 436-50; The Outlook for Municipal Efficiency in Philadelphia, **41**: 245-61.
- BURNETT, ALBERT G. Misunderstanding of Eastern and Western States Regarding Oriental Immigration, **34**: 257-61.
- Burns, George J., **55**: 50.
- BURTON, THEODORE E. The Need for Currency Reform, **37**: Sup. J., '11, 10-18; Development of the Federal Government, **32**: 212-17.
- Business: **28**: 28; **42**: 98; **59**: 141, 212, 330; **61**: 41, 47; education, **28**: 101-23; failures, **17**: 391-6; fallacy of big, **42**: 83-8; future, **60**: 17; government regulation, **45**: 238-45; **63**: 155; organizations, **59**: 232; securities market, **34**: 439.

- BUSINESS, COLLEGE MEN IN, **28**: 58-69.  
**BUSINESS CONDITIONS, AMERICAN, 34**: N., '09.  
 BUSINESS, EDUCATION FOR, **28**: 101-14.  
 BUSINESS, THE EFFECT OF THE EUROPEAN WAR ON AMERICAN, **60**: 143-4.  
 BUSINESS OF THE COUNTRY, THE WORK OF THE FEDERAL BUREAU OF LABOR STATISTICS IN ITS RELATION TO THE, **63**: 263-71.  
 BUSINESS, THE ATTITUDE OF, TOWARDS FOREIGN TRADE, **59**: 291-300.  
 BUSINESS, GOVERNMENT REGULATION OF BIG BUSINESS IN THE FUTURE, **42**: 238-45.  
 BUSINESS, THE NEW GOVERNMENT REGULATION OF, **59**: 212-25.  
 BUSINESS, INFLUENCE ON, OF THE INDEPENDENT TREASURY, **3**: 180-210.  
**BUSINESS MANAGEMENT, 22**: N., '03.  
**BUSINESS MANAGEMENT AND FINANCE, 25**: J., '05.  
 BUSINESS AND POLITICS AT HOME AND ABROAD, **42**: 156-71.  
 BUSINESS PROFESSIONS, **28**: Jy., '06.  
 BUSINESS, PUBLICITY AND REFORM IN, **28**: 143-54.  
 BUSINESS PURSUITS AND MANUFACTURING, HIGHER EDUCATION FOR, **28**: 115-23.  
 BUSINESS AND SCIENCE, **28**: 28-37.  
 BUSINESS CONDITION, SECURITIES MARKET AS AN INDEX OF, **34**: 439-44. *See* Securities.  
 BUSINESS, EFFECTS OF ANTI-TRUST LEGISLATION ON, **32**: 45-9.  
 BUSINESS, EFFECT OF THE ANTI-TRUST LAW ON GENERAL, **42**: 246-50.  
 BUSINESS. THE EFFECT OF THE SHERMAN ANTI-TRUST LAW ON THE BUSINESS OF THE COUNTRY, **42**: 263-70.  
 BUSINESS. THE SHERMAN ANTI-TRUST LAW AND THE BUSINESS OF THE COUNTRY, **42**: 219-37.  
 BUSINESS SITUATION, CAUSES OF THE PRESENT, **32**: 50-4.  
 BUSINESS STAGNATION, THE CAUSE OF, AN INQUIRY INTO THE INTERRELATION OF THE INDUSTRIAL AND THE FINANCIAL WORLD, **25**: 87-100.  
 BUTLER, ELIZABETH BEARDSLEY. Work of Women in the Mercantile Houses of Pittsburgh, **33**: 326-37.  
 BUTTER, Denmark, **50**: 258; New Jersey, **50**: 90, 200.  
 BUTTERFIELD, KENYON L. Rural Sociology as a College Discipline, **40**: 12-18.  
 BUTTERFIELD, O. E. Limitations Upon National Regulation of Railroads, **26**: 629-41.  
 BYALL, J. BRUCE. The American System of Improving and Administering Commercial Facilities, **24**: 489-506.  
 BYINGTON, MARGARET F. Some Unconsidered Elements in Household Expenditure, **48**: 112-16.  
 Cabin passenger traffic, division of, **55**: 56.  
 Cabinet, **1**: 223; **3**: 3, 835; government of, **3**: 8; **4**: 897; **9**: 32.  
 CABINET, CONGRESS AND THE, **2**: 289-99.  
 CABINET—CONGRESS AND THE, II, **4**: 404-24.  
 CABINET GOVERNMENT IN THE UNITED STATES, **3**: 1-13.  
 Cable rates, need of low, **45**: 39.  
 CABOT, RICHARD C. Social Service Work in Hospitals, **37**: 467-71.  
 CADBURY, WILLIAM W. Medicine as Practiced by the Chinese, **39**: 124-9.  
 CADBY, J. N. Regulating the Quality of Public Utility Service, **53**: 262-8.  
 CADWALLADER, STARR. The Enforcement of Child Labor Legislation, **29**: 132-4.  
 CAIRNES, J. E., writings of, **4**: Sup. Mch., '94, 128.  
 Calderón, Señor, on Monroe Doctrine, **54**: 91.  
 CALDERON, MANUEL ALVAREZ. The Position of Peru in South American Affairs, **22**: 59-65.  
 CALDERON, HIS EXCELLENCY, SEÑOR DON IGNACIO. The Progress of the Spanish-American Countries, **27**: Sup. M., '06, 17-20.  
 CALDERWOOD, W. G. Prohibition as a Present Political Platform, **32**: 576-81.  
 CALDWELL, B. C. The Work of the Jeanes and Slater Funds, **49**: 173-6.  
 CALDWELL, GEORGE B. Value of a Bond Department to a Bank or Trust Company, **30**: 230-2.  
 California: **3**: 752-3; **10**: 478; **12**: 387-408; **13**: 215; **25**: 404-6; **29**: Sup. Mch., '07, 29, 56, 64; **43**: 40; **47**: 9; **52**: 114; **53**: 55, 94; **62**: 69; board of freeholders, **47**: 9, 229; bonds, **13**: 413; budget, **62**: 69-72; certificate of convenience and necessity, **53**: 294; charities, **25**: 404; charter, **24**: 400; child labor, **35**: Sup. Mch., '10, 161; civil service, **47**: 101; commission government, **38**: 745; competition, **53**: 295; constitutional amendments, **13**: 215; counties, **47**: 8, 100-1, 230, 234; depreciation, **53**: 17; elections, **15**: 165; electric light, **57**: 67; employment, **59**: 166; exchanges, **50**: 259; extensions, **53**: 300; franchises, **10**: 477; gas, **57**: 67; **24**: 400; going value, **53**: 235; home rule, **47**: 9, 229-36; **53**: 108-15; **58**: 224; honor system in, **46**: 86; immigration and housing, **52**: 168; initiative and referendum in, **43**: 86, 105; Japanese, **54**: 257, 263-5; judicial review, **53**: 56; land, **58**: 223; league of California municipalities, **17**: 536-7; legislatures, **10**: 478; **11**: 182; minimum wage, **56**: 132; municipal ownership, **53**: 108; prohibition, **56**: 148; public service commission, **20**: 643-4; public utilities, **57**: 102-3; railroad commission, **6**: 469-77; **53**: 74-5, 114, 226, 299-300; rates, **53**: 226; recreation, **35**: 420; referendum, **43**: 86, 105; representation, **16**: 244; service, **53**: 300; taxation, **13**: 413; timber, **41**: Sup. M., '12, 10, 13, 21, 74; valuation, **53**: 226; **58**: 115; water, **63**: 247-8; woman suffrage, **56**: 93; women's clubs, **28**: 257; Young Men's Christian Association, **44**: 78.  
 CALIFORNIA, COUNTY HOME RULE IN: THE LOS ANGELES COUNTY CHARTER, **47**: 229-36.  
 CALIFORNIA, THE JAPANESE PROBLEM IN, **34**: 262-8.  
 CALIFORNIA, LEGAL STATUS OF, 1846-49, **13**: 387-408.  
 CALIFORNIA, THE RAILWAY COMMISSION OF, **6**: 469-87.  
 CALIFORNIA'S STATE BUDGET, **62**: 69-72.  
 CALIFORNIA, WORK OF THE WOMEN'S CLUBS IN, **28**: 257-60.  
 CALVO, HIS EXCELLENCY, SEÑOR DON JOAQUIM BERNARDO. The Relation of Cen-

- tral America to the Pan-American Movement, **27**: Sup. M., '06, 21-2.
- Cambria Steel Company, **48**: 192, 193.
- Cambridge, courses in jurisprudence, **2**: 491.
- Cameralistic literature, **4**: Sup. Mch., '94, 19, 20.
- CAMPBELL, CHARLES F. F. Prevention of Infantile Blindness, **37**: 517-31.
- CAMPBELL, M. EDITH. State Child Labor Relief, **38**: Sup. Jy., '11, 80-4.
- Canada: **1**: 5, 6, 12; **5**: 653-83; **12**: 81; **32**: 330-42; **41**: Sup. M., '12, 22, 69; **42**: 149, 196; **44**: 1-5; **45**: 1, 3, 9, 15, 18, 21, 29, 31, 32, 34, 38, 44, 56-8, 66, 83, 85, 89, 91, 94, 95, 99, 100, 177, 180-2, 187; **57**: 4; art, **45**: 172, 174, 176; Australian ballot system, **1**: 21; banking, **5**: 553; **11**: 210; **45**: 158, 160-3; banks, **8**: 471; **33**: 636; British investments, **45**: 40; buildings, **41**: 292; **58**: 199; charities, **18**: 567; Chinese, **45**: 103; Chinese capitation tax, **45**: 103; coal, **45**: 129, 134, 147; colonial government, **45**: 99; combinations, **42**: 153, 183-201; commercial relations, **32**: 330-42; competition, **42**: 196-8; compulsory arbitration, **36**: 309; courts, **52**: 191; criminal code, **52**: 107; divorce, **1**: 123; emigration, **45**: 83, 86-7, 96; exports and imports, **45**: 33, 228-31; farming, **45**: 32; fiscal system, **45**: 21, 28; freight rates, **45**: 42-3; French population, **8**: 213-35; grain, **45**: 15; Hindus, **45**: 117; housing in, **51**: 141; Hudson's Bay, **45**: 47; immigrants, **45**: 106; immigration, **45**: 100, 105, 171, 224; imports, **45**: 33, 229, 230, 231; industrial disputes, **44**: 1-9; industries, **45**: 41; Interior continental plain, **45**: 146; investments, **45**: 41; labor, **44**: 2; land tax, **58**: 199; legislative procedure, **52**: 191; literature, **45**: 189, 190, 191, 192, 195, 197, 200, 202, 203, 204, 205, 206, 207, 209, 214; manufactures, **45**: 14, 224; migration, **45**: 178; mineral resources, **45**: 131-50; mines in, **45**: 151; mining, **45**: 151, 153, 157; monetary system, **36**: 540; National Art Gallery, **45**: 176; National Monetary Commission, **45**: 168; newspapers, **45**: 185; Northwest provinces, **45**: 224; Panama Canal, **45**: 14; Parliamentary procedure in, **3**: 306-29; population of, **45**: 97, 216, 218, 219, 220, 221; preferential tariff, **45**: 46; protective tariff, **45**: 31; railways of, **45**: 217, 237, 238; reciprocity, **19**: 192; **20**: 45; **23**: 59-61; **25**: 20; **29**: 457; **45**: 8, 22-5, 65; relation of, with Great Britain, **45**: 25; relations of, with United States, **45**: 56; rural police, **40**: 228; single tax, **58**: 223, 225; steamship lines, **55**: 69; tariff, **45**: 30; trade of, **45**: 8, 21, 33, 36, 41, 217, 225-7, 232; transportation, **45**: 42; trusts, **45**: 8; warehouses in, **45**: 40; women, **45**: 177.
- CANADA AND HER ART, **45**: 171-6.
- CANADA, CAUSES OF BUSINESS FAILURES IN THE UNITED STATES AND, **17**: 391-6.
- CANADA AND THE CHINESE: A COMPARISON WITH THE UNITED STATES, **45**: 99-130.
- CANADA, COMMERCIAL RELATIONS OF THE UNITED STATES WITH, **32**: 330-42.
- CANADA, THE MINERAL RESOURCES OF, **45**: 131-50.
- CANADA, MINING LEGISLATION IN, **45**: 151-7.
- CANADA. POLICIES OF GERMANY, ENGLAND, CANADA AND THE UNITED STATES COMBINATIONS, **42**: 183-201.
- CANADA AND THE PREFERENCE: CANADIAN TRADE WITH GREAT BRITAIN AND THE UNITED STATES, **45**: 29-46.
- CANADA AND THE UNITED STATES, **1**: 1-25.
- CANADA, THE UNITED STATES AND, IN THEIR HUNDRED YEARS OF PEACE, **45**: 56-68.
- CANADIAN BANKING, **45**: 158-70.
- CANADIAN BANKING SYSTEM AND ITS OPERATION UNDER STRESS, THE, **36**: 538-62.
- CANADIAN COMBINES INVESTIGATION ACT, THE, **42**: 149-55.
- CANADIAN COURTS, A COMPARISON OF SOME OF THE PRINCIPLES AND RULES OF PRACTICE OF THE AMERICAN AND, **52**: 191-9.
- CANADIAN INDUSTRIAL DISPUTES INVESTIGATION ACT, THE, **36**: 419-37.
- CANADIAN INDUSTRIAL DISPUTES ACT, THE, **44**: 1-9.
- CANADIAN LITERATURE, **45**: 189-215.
- CANADIAN NATIONAL PROBLEMS, **45**.
- CANADIAN STATISTICS, **45**: 216-44.
- CANADIAN TRAITS, SOME, **45**: 177-88.
- CANADIANS IN THE UNITED STATES, **45**: 83-98.
- Canals: **4**: Sup. S., '93, 11, 14-16, 31-6, 42, 44, 45, 59, 73-89, 90, 94-5, 101, 124-5, 129, 130-46; **11**: 54-78; **31**: 82, 84, 89, 102; **59**: 261-2; coastwise, **31**: 73, 92-101; effects, **11**: 54-78; Erie, **59**: 261; Manchester, **4**: Sup. S., '93, 95; New York, **31**: 117-25; railroads, **55**: 14, 103; rates, **4**: Sup. S., '93, 56-7; regulation, **4**: Sup. S., '93, 60; St. Paul to Great Lakes, **4**: Sup. S., '93, 95, 149; trade, **4**: Sup. S., '93, 79; traffic, **31**: 87; Washington, D. C., **49**: 24, 81. See Isthmian Canal, Nicaragua Canal, Transportation.
- CANAL, CAPE COD, **31**: 81-91.
- CANAL, AN ISTHMIAN FROM A MILITARY POINT OF VIEW, **17**: 397-408.
- CANAL, ISTHMIAN, IN ITS ECONOMIC ASPECTS, **19**: 1-23.
- CANAL QUESTION, THE ISTHMIAN, AS AFFECTED BY TREATIES AND CONCESSIONS, **19**: 24-45.
- CANAL, THE COST OF THE ISTHMIAN SHIP, **42**: 331-3.
- CANALS, THE ANTHRACITE-TIDE-WATER, **31**: 102-16.
- CANALS, ATLANTIC COASTWISE: THEIR HISTORY AND PRESENT STATUS, **31**: 92-101.
- CANALS, THE NEW YORK, **31**: 117-25.
- CANALS. PANAMA PROJECT, PRESENT STATUS OF, **31**: 12-35.
- CANALS, THE ECONOMIC EFFECTS OF SHIP, **11**: 54-108.
- CANAL, THE NEUTRALIZATION OF THE SUEZ, **17**: 409-30.
- CANCE, ALEXANDER E. Immigrant Rural Communities, **40**: 69-80.
- CANFIELD, GEORGE F. Competition: The Safeguard and Promoter of General Welfare, **42**: 89-97.
- Canneries: child labor, **35**: Sup. Mch., '10, 152-4; **38**: Sup. Jy., '11, 118-22.
- CANNERIES AND TEXTILE INDUSTRIES OF NEW ENGLAND, CHILD LABOR IN THE, **33**: Sup. Mch., '09, 73-8.
- Canning: **4**: Sup. Mch., '94, 45; attitude of South America towards United States trade relations with South America, **37**: 648.

- CANNING MYTH, THE MONROE DOCTRINE AND THE, **54**: 92-8.
- Canton, **39**: 79, 81.
- CAPEN, EDWARD WARREN. Modern Principles of Foreign Missions, **30**: 461-72.
- Capital: **2**: 604, 635; **4**: 338, 353, 363; **17**: 95-9, 454-66; **20**: 45-8, 61-77; **36**: 311; **38**: 64-7; **42**: 55, 66, 67, 74, 77, 91, 94, 119, 120, 121, 126, 134, 141, 149, 160, 199, 205, 211, 219, 222, 233, 237, 241; **44**: Sup. N., '12, 20-4; **51**: 31-2; **53**: 175, 181; **59**: 151-3, 279-80; **60**: 124, 133-4; definition, **18**: 420; Karl Marx, **44**: Sup. N., '12, 20, 24; Latin America, **37**: 638-47; **54**: 289; Manchuria, **39**: 165; mobility, **44**: 98; wages, **1**: 56. *See* Banks.
- CAPITAL, INDUSTRIALS AS INVESTMENTS FOR SMALL, **15**: Sup. M., '00, 107.
- CAPITAL, INVESTMENT OF AMERICAN, IN LATIN-AMERICAN COUNTRIES, **37**: 638-47.
- CAPITAL, THE PROFITS AND VOLUME OF, **18**: 420-33.
- Capital outlay, definition, **62**: 239.
- profits, **18**: 420.
- punishment, **29**: 601, 618-22, 625.
- Capitalism, **44**: Sup. N., '12, 11, 26-8, 53.
- Capitalist industry, unemployment, **59**: 157-9.
- Capitalists, **42**: 48; **44**: Sup. N., '12, 44, 57.
- Capitalization: **53**: 13, 42, 79, 178; **57**: 9; depreciation, **53**: 131; Massachusetts, **53**: 181; public service, **53**: 49-128; railways, **5**: 348; rates, **53**: 152; service, **53**: 152; valuations, **53**: 14. *See* Banks.
- CAPITALIZATION, BURDENS OF FALSE, **48**: 189-95.
- CAPITALIZATION OF EARNINGS OF PUBLIC SERVICE COMPANIES, **53**: 178-81.
- CAPITALIZATION, FINANCIAL CONTROL: CONTROL OF PUBLIC SERVICE CORPORATIONS, **15**: Sup. M., '00, 21-9.
- Carey, H. C., **4**: Sup. Mch., '94, 99; **44**: Sup. N., '12, 17, 32.
- CARHART, E. R. The New York Produce Exchange, **38**: 524-39.
- Caribbean Conference, **55**: 73.
- countries, **55**: 71.
- trade, **55**: 68, 91-4.
- Carlisle Industrial School, **3**: 14-29.
- CAR-LOT MARKETS AND HOW THEY ARE SUPPLIED, **50**: 1-9.
- Car-lot shipments, **50**: 1, 3, 5-8.
- CARLTON, FRANK T. The Growth and Management of American Agriculture, **22**: 491-503; Michigan Child Labor Committee, **32**: Sup. Jy., '08, 134; **33**: Sup. Mch., '09, 182; **35**: Sup. Mch., '10, 174-5; **38**: Sup. Jy., '11, 170-1.
- Carlyle, Thomas, **4**: Sup. Mch., '94, 47.
- Carnier, Count, **1**: Sup. Mch., '91, 38.
- CARNEGIE, ANDREW. Future of Labor, **33**: 239-45. *See also*, **17**: 474-80; **42**: 15, 41, 84, 97; **44**: 35; **48**: 167.
- Carnegie Steel Company, **42**: 16, 85, 86.
- Carolinas, child labor legislation in the, **38**: Sup. Jy., '11, 114-17; colonial government of, **1**: 547.
- CARPENTER, DUNBAR F. Some Defects of Commission Government, **38**: 862-70.
- Carriers, **55**: 1, 205.
- CARRIERS, BILL TO REGULATE, BY WATER ENGAGED IN THE FOREIGN AND INTERSTATE COMMERCE OF THE UNITED STATES, **55**: 263-74.
- CARRIERS BY WATER, METHODS OF CONTROLLING COMPETITION BETWEEN DOMESTIC, **55**: 252-4.
- CARRIERS, THE NATION SHOULD SUPERINTEND ALL, **32**: 218-24.
- CARRIERS, RATE AGREEMENTS BETWEEN, IN THE FOREIGN TRADE, **55**: 155-63.
- CARS, ECONOMIC FACTORS IN THE SELECTION OF, FOR URBAN SERVICE, **37**: 82-7.
- CARSTENS, C. C. The Salvation Army—A Criticism, **30**: 545-56.
- CARTER, C. B. Hosiery Manufacture in the United States, **34**: 539-46.
- CARTWRIGHT, OTHO GRANDFORD. County Budgets and their Construction, **62**: 223-34; County Government in New York State, **47**: 258-70; Efficiency in County Government, **41**: 193-203.
- CARVER, T. N. Economic Significance of Changes in Country Population, **40**: 21-5; Ethical Basis of Distribution and Its Application to Taxation, **6**: 79-99. *See also*, **44**: Sup. N., '12, 84.
- CARY, AUSTIN. Forestry Policy of Typical States—New York, **35**: 248-51.
- DE LAS CASAS, WILLIAM B. The Boston Metropolitan Park System, **35**: 280-6.
- CABASUS, JOAQUIN D. The Record of Achievement of the Pan-American Conferences, **27**: Sup. M., '06, 5-13.
- Cash reserves, *see* Banking.
- Casualty insurance, **44**: 81. *See* Insurance.
- CASUALTY INSURANCE COMPANIES AND EMPLOYERS' LIABILITY LEGISLATION, **35**: 15-22.
- Catholic, economists, **4**: 28.
- CATHOLIC CHURCH, THE POSITION AND WORK OF THE ROMAN, IN THE PHILIPPINES, **30**: 83-9.
- CATHOLIC CHURCH IN AMERICA, SOCIAL WORK OF THE, **30**: 473-82.
- Catholicism, Italian constitution, **6**: 237. *See* Roman Catholic Church.
- CATLETT, FRED WAYNE. The Working of the Recall in Seattle, **43**: 227-36.
- Catskill aqueduct, **41**: 94.
- Cattle, Argentine, **37**: 714; value, **48**: 249.
- Caucus, **3**: 693-4. *See* Elections.
- CAVANAGH, J. R. The Pooling of Freight Cars, **29**: 260-5.
- CEASE, DANIEL L. Disability and Death Compensation for Railroad Employees, **38**: 45-56.
- Censors, boards of, **29**: Sup. Mch., '07, 17, 18.
- Census: **2**: 571; agriculture, **12**: 384; federal, **29**: Sup. Mch., '07, 44, 71; health, **37**: 286-304. *See* Statistics.
- CENSUS, CRIME AND THE, **9**: 42-69.
- CENSUS, THE DEVELOPMENT OF THE, **12**: 358-86.
- Central America, **54**: 101, 196, 201, 220; **61**: 66-9; business, **61**: 83; England, **14**: 292; trade agreements, **55**: 90, 91.



- CENTRAL AMERICA, THE RELATION OF, TO THE PAN-AMERICAN MOVEMENT, 27: Sup. M., '06, 21-2.
- CENTRAL AMERICA, EXISTING OBSTACLES TO THE EXTENSION OF OUR TRADE WITH SOUTH AND, 60: 98-103.
- CENTRAL AMERICA, THE RELATIONS OF SOUTH AND, WITH THE UNITED STATES AS AFFECTED BY THE EUROPEAN WAR, 61: 66-70.
- CENTRAL AMERICA, TRADE RELATIONS WITH SOUTH AND, AS AFFECTED BY THE WAR, 60: 69-71.
- CENTRAL AND SOUTH AMERICA, EXISTING OBSTACLES TO THE EXTENSION OF OUR TRADE WITH, 60: 98-103.
- CENTRAL AMERICAN PROBLEM, IMMIGRATION—A, 37: 743-50.
- CENTRAL AMERICAN TRADE, SOUTH AND, AS AFFECTED BY THE EUROPEAN WAR, 60: 60-8.
- Central banks, *see* Banks.
- CENTRAL STATES, JOINT MEETING OF AMERICAN ECONOMIC ASSOCIATION AND POLITICAL SCIENCE ASSOCIATION OF THE, 7: 344-8.
- CENTRAL STATES, POLITICAL SCIENCE ASSOCIATION OF THE, 5: 796-7.
- Centralization: 47: 6, 12, 213; 58: 6, 113, 115-16, 119-20; administration, 11: 24-43; 29: Sup. Mch., '07, 2, 3, 32-5, 54-6, 84; industry, 44: Sup. N., '12, 76.
- Centralstelle für Arbeiterwohlfahrtsanrichtungen, 3: 73-81.
- Cereals, production, 50: 183.
- CERTIFICATES, CLEARING-HOUSE, AND THE NEED FOR A CENTRAL BANK, 31: 361-6.
- Certificate of convenience and necessity: California, 53: 294; New Hampshire, 53: 11; Pennsylvania, 53: 41.
- notification, Pennsylvania, 53: 43.
- valuation, Pennsylvania, 53: 44, 47.
- Chabral, Count, 1: Sup. Mch., '91, 55.
- CHADDOCK, ROBERT EMMET. Sources of Information upon the Public Health Movement, 37: 305-20.
- CHADSEY, MILDRED. The Old House as a Social Problem, 51: 82-91.
- CHADWICK, F. E. A Study of Iberic-America, 54: 5-19.
- Chain stores: 50: 64, 74, 76-7, 79, 249; direct buying, 48: 214; Philadelphia, 48: 210.
- CHALMERS, A. K. The Progress of Sanitation in Great Britain, 25: 273-89.
- CHAMBERLAIN. "Foundations of the Nineteenth Century," 44: Sup. N., '12, 32.
- CHAMBERLAIN'S, MR., DEVELOPMENT OF, FISCAL POLICY, 23: 105-20.
- Chambers of Commerce, French, 4: 21.
- CHAPPLE, W. A. Some Canadian Traits, 45: 177-88.
- Charities: 2: 405, 698; 4: 34-60; 5: 184, 648, 821; 6: 184, 349, 566; 7: 167, 365; 8: 563; 10: 467; 12: 164, 313, 452; 17: 158, 164-72, 183, 363, 546, 548, 550-4; 18: 370, 373-4, 563-6; 19: 308-9, 509-11, 513-15; 20: 454, 461, 647-8, 654-5; 21: 327, 389-406, 490; 22: 390-4, 535; 23: 178, 181, 389, 398-400, 562; 24: 362, 412, 414, 593; 25: 189, 402; 26: 774, 777; 27: 447; 29: Sup. Mch., '07, 60, 68; 41: 69, 176, 231; alcoholism, 6: 352; appropriations, 29: 237; Atlanta, 21: 329-30; 24: 362; Baltimore, 20: 462-3; 23: 180; 25: 193; Baron de Hirsch Fund, 20: 653-4; Berlin, 29: 401-8; Boston, 22: 397-8; 25: 402-3; California, 25: 404; Chicago, 21: 491; 23: 566-70; Cuba, 19: 517-18; Detroit, 20: 461-2; District of Columbia, 23: 565-6; Germany, 18: 567; Hartford, Connecticut, 17: 168; Hawaii, 18: 563-4; Illinois, 18: 556; 46: 109; 58: 115; Indiana, 18: 370-2; 23: 396-8; 24: 412; Indianapolis, 23: 181-2; insurance, 4: 55; Iowa, 13: 229; Jewish, 21: 389-406; 22: 542; London, 9: 310; Maryland, 25: 193; Massachusetts, 5: 823; 10: 490; 12: 452; 17: 372-6; medical, 23: 409-23; Montana, 21: 502; municipal, 23: 268-80; 41: 176; Nebraska, 19: 309; New Jersey, 21: 495; 23: 184-6; New York, 9: 306; 11: 291; 12: 158; 17: 372-6, 556; 19: 516; 20: 454; 23: 393-5; 25: 189; 27: 416; Newark, 25: 192; Ohio, 21: 495; Oregon, 23: 180-1; 24: 413; organizations, 14: 1-17; organized, 18: 566; Pennsylvania, 5: 822; 10: 137; 21: 494; 47: 166-81; Philadelphia, 41: 254; Porto Rico, 18: 383-6; 23: 502-13; Providence, 13: 129; Roman Catholic, 23: 513; Salem, Mass., 23: 180; San Francisco, 19: 309; Seattle, 23: 181; state boards, 18: 434-8, 441, 443; Virginia, 21: 494-5; Washington, 10: 477; 11: 296; 23: 178-80.
- CHARITIES AND CORRECTIONS, PROBLEMS IN, 21: M., '03.
- CHARITIES AND CORRECTION, NATIONAL CONFERENCE OF, 8: 563-72.
- CHARITIES, MUNICIPAL, PROBLEMS IN ADMINISTRATION OF, 23: 268-80.
- CHARITIES IN NEW YORK, SUPERVISION OF, 23: 477-82.
- CHARITIES, PHILANTHROPY AND SOCIAL PROBLEMS, 18: 370-82, 563-7.
- CHARITIES OF PORTO RICO, THE PUBLIC, 23: 502-13.
- CHARITIES, AND SOCIAL PROBLEMS, 17: 158-72, 363-80.
- CHARITY ADMINISTRATION, EFFECTIVE, 41: 176-92.
- CHARITY FUNCTIONS OF THE PENNSYLVANIA COUNTY, 47: 166-81.
- CHARITY, FUTURE PROBLEM OF, AND THE UNEMPLOYED, 5: 1-27.
- CHARITY ORGANIZATION, ECONOMIC ASPECTS OF, 14: 1-17.
- CHARITY, THE PROBLEM OF MEDICAL, 23: 409-23.
- CHARITY. NEW YORK, SUPERVISION OF CHARITIES IN, 23: 477-82.
- CHARITY, RELATION OF ECONOMIC STUDY TO PUBLIC AND PRIVATE, 4: 34-60.
- CHARITIES. THE ESSENTIALS OF A RELIEF POLICY, 21: 343-62.
- CHARITY. RELIEF OF THE POOR IN ITALY, 28: 311-16.



- CHARITY THEORY AND PRACTICE, WORLD CURRENTS IN, **21**: 363-78.
- Charles Emanuel, **1**: Sup. Mch., '91, 20.
- Charles of Calabria, **1**: Sup. Mch., '91, 18.
- CHARLTON, PAUL. Naturalization and Citizenship in the Insular Possessions of the United States, **30**: 104-14.
- CHARTERS: **2**: 340; **41**: 10, 57, 204, 281; **55**: 184, 199; Baltimore, **12**: 307; **37**: 168-79; Boston, **11**: 119; California, **24**: 400; Chicago, **31**: 639-48; Cincinnati, **13**: 412; Cleveland, **9**: 299; corporate, **32**: 238; county, **47**: 230; Dayton, **62**: 166; Denver, **24**: 395; federal, **32**: 238; **42**: 65, 66; Havana, **21**: 129-30; home rule, **24**: 400; Jewish, **21**: 491; Kansas City, **38**: 839; Kentucky, **7**: 63-9; Milwaukee, **13**: 275; Minneapolis, **16**: 489; **17**: 534; Minnesota, **24**: 378, 398; Missouri, **3**: 748; **24**: 396; **27**: 155; New York City, **10**: 20-32, 121, 292; **14**: 136; **16**: 150; Omaha, **10**: 295; Pennsylvania, **16**: 152; Philadelphia, **13**: 412; Pittsburgh, **13**: 415; Providence, **13**: 129; Quebec, **19**: 496-7; rates, **55**: 225-31; St. Joseph, **38**: 845; St. Louis, **38**: 843; San Francisco, **7**: 151; **9**: 296; **11**: 284; **12**: 310; **13**: 224, 413; **16**: 322; **19**: 150; **24**: 402; Washington, **24**: 397.
- CHARTER, BALTIMORE UNDER ITS NEW, **27**: 168-79.
- CHARTER, THE GREATER NEW YORK, **10**: 20-32.
- CHARTERS, CIVIL SERVICE PROVISIONS IN COMMISSION, **38**: 808-15.
- CHARTERS, FRANCHISE PROVISIONS IN COMMISSION, AND STATUTES, **38**: 783-97.
- CHARTERS, THE LOS ANGELES COUNTY, COUNTY HOME RULE IN CALIFORNIA, **47**: 229-36.
- CHARTER MOVEMENT, CHICAGO NEW,—ITS RELATION TO MUNICIPAL OWNERSHIP, **31**: 639-48.
- CHARTER MOVEMENTS IN MISSOURI, HOME RULE, **27**: 155-67.
- CHARTER, HISTORY OF A MUNICIPAL IN KENTUCKY, **7**: 63-9.
- Chartism, **4**: Sup. Mch., '94, 47, 98.
- Chattanooga, **5**: 633.
- Chautauqua, Political Economy Clubs, **3**: 667.
- CHAUTAUQUA MOVEMENT, THE, **40**: 211-16.
- CHECK COLLECTION SYSTEM, SOME PHASES OF THE NEW, **63**: 122-31.
- Checks: balances and, **29**: Sup. Mch., '07, 30; legislation, **3**: 1-13; minority rights, **52**: 68.
- CHEESBOROUGH, E. R. Galveston's Commission Plan of City Government, **38**: 891-900.
- Chemicals, **41**: Sup. M., '12, 76-80.
- CHENEY, HOWELL. Practical Restrictions on Child Labor in Textile Industries; Higher Educational and Physical Qualifications, **33**: Sup. Mch., '09, 86-99.
- CHESAPEAKE AND DELAWARE, ENGINEERING FEATURES OF, AND NORFOLK-BEAUFORT WATERWAYS, **31**: 73-80.
- CHESTER, COLBY N. The Present Status of the Monroe Doctrine, **54**: 20-7.
- CHEYNEY, EDWARD P. The Mediaeval Manor, **4**: 275-91; Recent Tendencies in the Reform of Land Tenure, **2**: 309-23; A Third Revolution, **2**: 772-81.
- Chicago: **3**: 739; **4**: Sup. S., '93, 125; **5**: 458, 630; **6**: 172, 555; **9**: 291, 468; **11**: 276; **12**: 305; **13**: 15, 124-228; **15**: 181; **16**: 316; **17**: 142-5, 291-8; **18**: 371, 566; **19**: 313, 485-90, 511-12, 515-16; **21**: 119-20; **24**: 581; **25**: 235-47; **27**: 193; **28**: 387; **29**: 564; **31**: 639; **41**: 103, 106, 139, 281-2, 288; **50**: 2; **57**: 37-43, 58, 170-1; **59**: 262; **62**: 141-2, 146, 270-2; **63**: 207-9; appropriations, **62**: 270, 273-4; baths, **18**: 566; board of trade, **38**: 507; bridges, **41**: 290; budget, **62**: 270-3; building department, **41**: 292; building trades, **17**: 567-9; bureau of municipal research, **41**: 300; bureau of public efficiency, **41**: 300; charities, **21**: 491; **23**: 566-70; charter, **31**: 639; child labor, **29**: 100; civil service, **9**: 291, 468; **11**: 276; **12**: 307; **16**: 316; **17**: 142, 144; contracts, **41**: 285-97; coöperation, **50**: 223-4, 226; education, **25**: 161-4; elections, **12**: 306; **19**: 485-6; finance, **21**: 119-20; franchises, **53**: 138; gas and electric, **27**: 202; government, **17**: 291-8; home rule, **57**: 170; housing, **23**: 297; **37**: 268; Hull House, **19**: 515; interlocking directorates, **57**: 172; Jewish charities, **21**: 49; **23**: 556; jobbers in, **50**: 61; juvenile court, **17**: 298-304; lighting, 1913, **57**: 37, 42; meat, **28**: 317; Merriam commission, **41**: 103, 282-303; municipal court in, **52**: 100; municipal library, **19**: 489-90; municipal ownership, **19**: 487-8; **27**: 72-90; **31**: 639-48; municipal reform, **6**: 565; newsboys, **25**: 438, 441, 457-8; parks, **26**: 764; **35**: 304-21; **62**: 142, 143; playgrounds, **26**: 764; **62**: 143-6; police, **24**: 581; public service corporations, **31**: 689-94; public utilities, **57**: 171-2; railways, **20**: 356-69; reform movement, **25**: 240; relations court, **52**: 115; schools, **13**: 124; **15**: 181, 187; street lighting, **2**: 715; street railways, **6**: 551; **12**: 153, 305; **13**: 124; **20**: 356-69; **29**: 279; **31**: 619-29; **37**: 22, 193; **53**: 138; trade, **38**: 507-23; transit system, **51**: 159; transportation, **15**: 41; trusts, **32**: 243; University, **10**: 384; utilities, **57**: 58, 65; water, **30**: 557; workmen's compensation, **38**: 140.
- CHICAGO, BOARD OF TRADE OF THE CITY OF, **38**: 507-23.
- CHICAGO, BUDGET MAKING IN, **62**: 270-6.
- CHICAGO, THE CONSUMERS' COÖPERATIVE MOVEMENT IN, **50**: 223-8.
- CHICAGO COURT OF DOMESTIC RELATIONS, **52**: 115-23.
- CHICAGO, ELECTRIC STREET LIGHTING IN, **2**: 715-20.
- CHICAGO, HOUSING PROBLEM IN, **20**: 99-107.
- CHICAGO, THE JUVENILE COURT OF, AND ITS WORK, **17**: 298-304.
- CHICAGO, THE MOVEMENT FOR MUNICIPAL OWNERSHIP IN, **27**: 72-90.
- CHICAGO, MUNICIPAL PROBLEMS OF, **23**: 281-96.
- CHICAGO NEW CHARTER MOVEMENT—ITS RELATION TO MUNICIPAL OWNERSHIP, **31**: 639-48.

- CHICAGO, THE RELATION OF, TO PUBLIC CORPORATIONS, **31**: 689-94.
- CHICAGO, PROBLEMS OF PHILANTHROPY IN, **21**: 379-88.
- CHICAGO, THE REFORM MOVEMENT IN, **25**: 235-47.
- CHICAGO, SAN FRANCISCO, CINCINNATI, NEW YORK, PHILADELPHIA, DEVELOPMENT OF STREET RAILWAY SYSTEM, **6**: 551-7.
- CHICAGO, THE PRESENT STREET RAILWAY SITUATION IN, **20**: 356-69.
- CHICAGO PARKS, RECREATION DEVELOPMENTS IN, **35**: 304-21.
- CHICAGO TRACTION: A STUDY IN POLITICAL EVOLUTION, **28**: 385-404.
- CHICAGO'S TRANSPORTATION PROBLEM, RECENT PHASES OF, **31**: 619-29.
- CHICAGO TRUST CONFERENCE, THE, **15**: 69-80.
- Chief justice: impeachment, **52**: 9; judges, **52**: 9, 12; power, **52**: 9; recall, **52**: 9; retirement, **52**: 9; vacancies, **52**: 7;
- CHILD, THE ATTITUDE OF SOCIETY TOWARD THE, AS AN INDEX OF CIVILIZATION, **29**: 135-41.
- Child labor: **18**: 564; **21**: 438-45, 505-6; **25**: 171, 417-29, 430-6, 565-85; **27**: 141, 259-69, 289, 293-9, 300-26; **29**: 1-18, 26-34, 115-24, 183; **29**: Sup. J., '07, 4, 84-6, 104-14; **32**: Sup. Mch., '08, 80-91; **32**: Sup. J., '08, 1-18, 20-2, 124-49, 178; **33**: Sup. Mch., '09, 49-62, 73-8, 122-30, 144-52, 166-98, 207-44, 244, 441; **34**: 86, 94; **34**: Sup. J., '09, 22-3; **35**: 144; **35**: Sup. Mch., '10, 3, 7-12, 16, 19, 34, 86-90, 114-26, 144, 145-9, 155-9, 160-94, 207-38, 272; **36**: Sup. S., '10, 20; **38**: Sup. J., '11, 1-7, 35-89, 90-4, 114-17, 156-85, 208-24; **56**: 100-13; **63**: 269, 272, 273, 277; accidents, **33**: Sup. Mch., '09, 141-3; Alabama, **21**: 331-2; **29**: 163; anthracite industry, **29**: 35; Belgium, **20**: 203-20; California, **35**: Sup. Mch., '10, 160-1; **38**: Sup. J., '11, 156; canneries, **33**: Sup. Mch., '09, 73-8; **35**: Sup. Mch., '10, 102-4, 152-4; **38**: Sup. J., '11, 118-22; Carolina, **38**: Sup. J., '11, 114-17; church, **35**: Sup. Mch., '10, 23-32; Cincinnati, **35**: Sup. Mch., '10, 144; coal, **29**: 35; compulsory education, **32**: Sup. J., '08, 46-9; cotton, **27**: 259; **32**: Sup. J., '08, 41, 51; **33**: 278-86; dangerous trades, **35**: Sup. Mch., '10, 10; **38**: Sup. J., '11, 90-4; Delaware, **38**: Sup. J., '11, 159-60; department store, **20**: 167-77; District of Columbia, **29**: 152-3; **32**: Sup. Mch., '10, 162-3; **38**: Sup. J., '11, 157-9; effects, **29**: 115; England, **22**: 398; Europe, **21**: 499-502; factories, **29**: Sup. J., '07, 56; **32**: Sup. J., '08, 67-71; farms, **33**: Sup. Mch., '09, 116-21; Georgia, **29**: 160-3; Great Britain, **23**: 395-6; Illinois, **19**: 312-13; immigration, **21**: 439; Iowa, **29**: 159; juvenile court, **33**: Sup. Mch., '09, 111-15; juvenile crime, **21**: 332-3; Kansas, **35**: Sup. Mch., '10, 164; Kentucky, **32**: Sup. J., '08, 127; **33**: Sup. Mch., '09, 172-98; **38**: Sup. J., '11, 163; laws, **25**: 459-66; **29**: 132-4; **29**: Sup. J., '07, 29; **31**: Sup. M., '08, 41-67; **32**: Sup. J., '08, 46-9; **33**: Sup. Mch., '09, 63-72; **35**: Sup. Mch., '10, 16-22; **38**: Sup. J., '11, 139-43; **63**: 274; Louisiana, **33**: Sup. Mch., '09, 162-5; **35**: Sup. Mch., '10, 168; **38**: Sup. J., '11, 165; Maine, **32**: Sup. J., '08, 132-3; **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 169; **38**: Sup. J., '11, 165-6; Maryland, **29**: 154-6; **32**: Sup. J., '08, 130-1; **35**: Sup. Mch., '10, 159-70; **38**: Sup. J., '11, 156-7; Massachusetts, **17**: Sup. J., '01, 9, 16; **22**: 540; **29**: 170-2; **32**: Sup. J., '08, 131; **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 7-12, 111-13, 144, 170-4; **38**: Sup. J., '11, 167-70; Michigan, **32**: Sup. J., '08, 34, 134; **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 174-5; **38**: Sup. J., '11, 170-1; mills, **27**: 259; mines, **29**: 26; **29**: Sup. J., '07, 56; **37**: 293; **38**: Sup. J., '11, 133-8; Minnesota, **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 175-6; **38**: Sup. J., '11, 171-4; Missouri, **29**: 145-52; **32**: Sup. J., '08, 134; **35**: Sup. Mch., '10, 176; national regulation, **35**: Sup. J., '11, 154; **63**: 273; Nebraska, **32**: Sup. J., '08, 34; **33**: Sup. Mch., '09, 172-98; New England, **25**: 480; **32**: Sup. J., '08, 31-9; **33**: Sup. Mch., '09, 73-8; New Hampshire, **35**: Sup. Mch., '10, 103-10; New Jersey, **23**: 183-4; New York, **29**: 142; **32**: Sup. J., '08, 135; **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 144, 179-81; **38**: Sup. J., '11, 174-6; North Carolina, **29**: 163; **35**: Sup. Mch., '10, 181; **38**: Sup. J., '11, 136-7; North Dakota, **33**: Sup. Mch., '09, 172-98; Northeastern States, **25**: 480; Northern Central States, **25**: 467; Ohio, **29**: 71-6, 167-8; **32**: Sup. J., '08, 140; **33**: Sup. Mch., '09, 79-85, 172-98; **35**: Sup. Mch., '10, 182; **38**: Sup. J., '11, 177; Oregon, **29**: 166; Pennsylvania, **29**: 26, 158; **32**: Sup. J., '08, 142; **33**: Sup. Mch., '09, 91-2, 172-98; **35**: Sup. Mch., '10, 184-6; **38**: Sup. J., '11, 180-2; prohibition, **31**: Sup. M., '08, 5-6; relation to school system, **32**: Sup. J., '08, 67; Rhode Island, **32**: Sup. J., '08, 143-4; **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 86-9; **38**: Sup. J., '11, 183-4; San Francisco, **35**: Sup. Mch., '10, 161; **38**: Sup. J., '11, 157; schools, **29**: 84-6, 110; South, **20**: 1, 83-6; **25**: 430, 491; **32**: Sup. J., '08, 24-5; **33**: Sup. Mch., '09, 166-71, 196-8; **35**: Sup. Mch., '10, 156-64, 192-4; South Carolina, **32**: Sup. J., '08, 47; **35**: Sup. Mch., '10, 96-102; Southern States, **29**: 164; **33**: Sup. Mch., '09, 172-98; street trades, **25**: 437; **33**: Sup. Mch., '09, 79-85; **35**: Sup. Mch., '10, 137-44; **38**: Sup. J., '11, 95-104; textile industries, **33**: Sup. Mch., '09, 73-8, 86-99; **35**: 160; **35**: Sup. Mch., '10, 42-6; various states, **21**: 446-51; **32**: Sup. J., '08, 124-77; Vermont, **38**: Sup. J., '11, 184-5; Washington, D. C., **33**: Sup. Mch., '09, 104, 172-98; West Virginia, **35**: Sup. Mch., '10, 189; **38**: Sup. J., '11, 149-53, 185; Western States, **25**: 508; Wisconsin, **27**: 357-60; **29**: 156-8; **32**: Sup. J., '08, 144; **33**: Sup. Mch., '09, 172-98; **35**: Sup. Mch., '10, 144, 190-2; women's clubs, **28**: 253. See National Child Labor Committee, Working children.
- CHILD LABOR, **25**: M., '05.
- CHILD LABOR, **27**: Mch., '06.
- CHILD LABOR, **39**: J., '07.

- CHILD LABOR IN THE ANTHRACITE COAL REGION, THE EXTENT OF, **29**: 35-49.
- CHILD LABOR, PRESENT AND PAST ARGUMENTS AGAINST, **27**: 281-4.
- CHILD LABOR IN BELGIUM, **28**: 303-11.
- CHILD LABOR, A BUSINESS MAN'S VIEW OF, **27**: 361-3.
- CHILD LABOR IN CANNERIES, **35**: Sup. Mch., '10, 152-4.
- CHILD LABOR, THE CHURCH AND, **25**: 574-8.
- CHILD LABOR, A MENACE TO CIVILIZATION, **38**: Sup. Jy., '11, 1-7.
- CHILD LABOR. SOCIETY TOWARD THE CHILD AS AN INDEX OF CIVILIZATION, THE ATTITUDE OF, **29**: 135-41.
- CHILD LABOR IN THE COAL MINES, **27**: 293-9.
- CHILD LABOR, THE FUNCTION OF EDUCATION IN ABOLISHING, **32**: Sup. Jy., '08, 80-91.
- CHILD LABOR FROM THE EMPLOYER'S POINT OF VIEW, **25**: 551-7.
- CHILD LABOR, ETHICAL AND RELIGIOUS ASPECTS OF, **32**: Sup. Jy., '08, 92.
- CHILD LABOR. FACTORY INSPECTOR, THE DIFFICULTIES OF A, **29**: 125-31.
- CHILD LABOR. THE FEDERAL GOVERNMENT AND THE WORKING CHILDREN, **27**: 289-92.
- CHILD LABOR IN THE GLASS INDUSTRY, **27**: 300-11.
- CHILD LABOR. CHILDREN IN THE GLASS WORKS OF ILLINOIS, **29**: 77-83.
- CHILD LABOR IN GULF COAST CANNERIES, **38**: Sup. Jy., '11, 118-22.
- CHILD LABOR. CHILD EMPLOYING INDUSTRIES. **35**: Sup. Mch., '10, 274.
- CHILD LABOR IN HOME INDUSTRIES, **35**: Sup. Mch., '10, 145-9.
- CHILD LABOR SITUATION IN ILLINOIS, **33**: Sup. Mch., '09, 153-61.
- CHILD EMPLOYING INDUSTRY, **35**: Sup. Mch., '10.
- CHILD LABOR AND THE NATION, **29**: 115-24.
- CHILD LABOR AT THE NATIONAL CAPITAL, **27**: 270-80.
- CHILD LABOR—A NATIONAL DISGRACE, **28**: 301-2.
- CHILD LABOR A NATIONAL PROBLEM, **27**: 331-41.
- CHILD LABOR. NATIONAL PROTECTION FOR CHILDREN, **29**: 57-60.
- CHILD LABOR IN NEW ENGLAND, **32**: Sup. Jy., '08, 31-9.
- CHILD LABOR IN NEW JERSEY, **20**: 191-9.
- CHILD LABOR SITUATION IN OHIO AND BORDER STATES, **29**: 71-6.
- CHILD LABOR, ORGANIZED LABOR'S ATTITUDE TOWARD, **27**: 337-41.
- CHILD LABOR. OVERWORK, IDLENESS OR INDUSTRIAL EDUCATION, **27**: 342-53.
- CHILD LABOR, PARENTAL RESPONSIBILITY FOR, **27**: 354-6.
- CHILD LABOR. PHYSICAL EFFECTS OF PRE-MATURE TOIL, SOME OF THE ULTIMATE, **29**: 19-25.
- CHILD LABOR, THE PHYSICAL AND PHYSIOLOGICAL EFFECTS OF, **27**: 285-8.
- CHILD LABOR REFORM, POVERTY AND PARENTAL DEPENDENCE AS AN OBSTACLE TO, **29**: 1-8.
- CHILD LABOR. PROCEEDINGS OF SECOND ANNUAL MEETING OF NATIONAL CHILD LABOR COMMITTEE, **27**: 371-99.
- CHILD LABOR. PUBLICITY IN REFORM, VALUE OF, **29**: 87-92.
- CHILD LABOR, THE RESPONSIBILITY OF THE CONSUMER FOR, **32**: Sup. Jy., '08, 108.
- CHILD LABOR, JOINT COMMITTEE ON, FOR RHODE ISLAND, **32**: Sup. Jy., '08, 143.
- CHILD LABOR AND THE PUBLIC SCHOOLS, **29**: 84-6.
- CHILD LABOR AND THE PUBLIC SCHOOLS, **29**: 104-9.
- CHILD LABOR AND THE PUBLIC SCHOOLS, **29**: 110-14.
- CHILD LABOR, THE SCHOOL AS A FORCE AR-AYED AGAINST, **25**: 558-62.
- CHILD LABOR AND SOCIAL PROGRESS, **32**: Sup. Jy., '08.
- CHILD LABOR IN THE SOFT COAL MINES, **29**: 26-34.
- CHILD LABOR IN THE SOUTH, **35**: 156-64.
- CHILD LABOR, THE AWAKENING OF THE SOUTH AGAINST, **29**: 9-18.
- CHILD LABOR. SOUTHERN COTTON MILLS, CHILDREN IN THE, **27**: 259-69.
- CHILD LABOR IN SOUTHERN INDUSTRY, **25**: 430-6.
- CHILD LABOR ON THE STAGE, **38**: Sup. Jy., '11, 60-5.
- CHILD LABOR ON THE STAGE, **38**: Sup. Jy., '11, 74-6.
- CHILD LABOR AS RELATED TO THE STAGE, **38**: Sup. Jy., '11, 66-73.
- CHILD LABOR IN STREET TRADES, **35**: Sup. Mch., '10, 137-44.
- CHILD LABOR. CHILDREN IN AMERICAN STREET TRADES, **25**: 437-58.
- CHILD LABOR, PRACTICAL RESTRICTIONS ON, IN TEXTILE INDUSTRIES, **33**: Sup. Mch., '09, 86-99.
- CHILD LABOR. EMPLOYMENT OF GIRLS, THE, IN TEXTILE INDUSTRIES OF PENNSYLVANIA, **23**: 434-44.
- CHILD LABOR IN THE TEXTILE INDUSTRIES AND CANNERIES OF NEW ENGLAND, **33**: Sup. Mch., '09, 73-8.
- CHILD LABOR IN THE UNITED STATES AND ITS GREAT ATTENDANT EVILS, **25**: 417-29.
- CHILD LABOR. WISCONSIN CHILD LABOR LAW, OPERATION OF THE, **27**: 357-60.
- CHILD LABOR, THE WORK OF THE GENERAL FEDERATION OF WOMEN'S CLUBS AGAINST, **25**: 516-21.
- CHILD LABOR COMMITTEE, PROCEEDINGS OF THE SECOND ANNUAL MEETING OF THE NATIONAL, **27**: 371-99.
- CHILD LABOR COMMITTEES AND CONSUMERS' LEAGUES, REPORTS FROM STATE AND LOCAL, **29**: 142-83.
- CHILD LABOR LAW, AN EFFECTIVE, **21**: 438-45.
- CHILD LABOR LAW, THE ESSENTIALS OF A, FOR THE DISTRICT OF COLUMBIA, **27**: 364-70.
- CHILD LABOR LAW, THE OPERATION OF THE ILLINOIS, **27**: 327-30.
- CHILD LABOR LAW, THE OPERATION OF THE NEW, IN NEW JERSEY, **25**: 522-41.
- CHILD LABOR LAW, UNIFORM, **38**: Sup. Jy., '11.
- CHILD LABOR LAW, THE OPERATION OF THE WISCONSIN, **27**: 357-60.
- CHILD LABOR LAWS, ENFORCEMENT OF, **35**: Sup. Mch., '10, 91-5.

- CHILD LABOR LAWS, THE ENFORCEMENT OF, **63**: 272-7.
- CHILD LABOR LAWS OF THE OHIO VALLEY, **29**: 61-70.
- CHILD LABOR LAWS, UNIFORM, **38**: Sup. Jy., '11, 224.
- CHILD LABOR LEAGUE OF WARREN, O., **32**: Sup. Jy., '08, 141-2.
- CHILD LABOR LEGISLATION, **20**: 155-64; **21**: 438-45, 446-51; **29**: Sup. J., '07, 64; **31**: Sup. M., '08, 68.
- CHILD LABOR LEGISLATION IN THE CAROLINAS, **38**: Sup. Jy., '11, 114-17.
- CHILD LABOR LEGISLATION, TEST OF EFFECTIVE, **25**: 459-66.
- CHILD LABOR LEGISLATION, THE ENFORCEMENT OF, **29**: 132-4.
- CHILD LABOR LEGISLATION AND ENFORCEMENT IN NEW ENGLAND AND THE MIDDLE STATES, **25**: 480-90.
- CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN NORTHERN CENTRAL STATES, **25**: 467-79.
- CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN THE WESTERN STATES, **25**: 508-15.
- CHILD LABOR LEGISLATION IN ILLINOIS, ENFORCEMENT OF, **29**: 93-103.
- CHILD LABOR LEGISLATION—A REQUISITE FOR INDUSTRIAL EFFICIENCY, **25**: 542-50.
- CHILD LABOR LEGISLATION IN MASSACHUSETTS, **35**: Sup. Mch., '10, 7-12.
- CHILD LABOR LEGISLATION, OBSTACLES TO THE ENFORCEMENT OF, **29**: 50-6.
- CHILD LABOR LEGISLATION IN THE SOUTH, **25**: 491-507.
- CHILD LABOR LEGISLATION IN A SOUTHERN STATE, THE DIFFICULTIES OF, **33**: Sup. Mch., '09, 166-71.
- CHILD LABOR LEGISLATION, UNEQUAL LAWS AN IMPEDIMENT TO, **35**: Sup. Mch., '10, 16-22.
- CHILD LABOR PROBLEM, THE, **20**: 151-232.
- CHILD LABOR PROBLEM. CHILD LABOR IN BELGIUM, **20**: 203-20.
- THE CHILD LABOR PROBLEM—A STUDY IN DEGENERACY, **27**: 312-26.
- CHILD LABOR PROBLEM, COMPULSORY EDUCATION, THE SOLUTION OF THE, **32**: Sup. Jy., '08, 40-56.
- CHILD LABOR REFORM IN ALABAMA, HISTORY OF, **38**: Sup. Jy., '11, 111-13.
- CHILD LABOR REFORM, MISSOURI, **38**: Sup. Jy., '11, 149-53.
- CHILD LABOR REFORM, POVERTY AND PARENTAL DEPENDENCE AS AN OBSTACLE TO, **29**: 1-8.
- CHILD LABOR REFORM IN NEW TERRITORY, **38**: Sup. Jy., '11, 139-43.
- CHILD LABOR REFORM, SEVEN YEARS OF, **38**: Sup. Jy., '11, 31-8.
- CHILD LABOR RELIEF, STATE, **38**: Sup. Jy., '11, 80-4.
- CHILD LABOR STATISTICS, UNIFORM SYSTEMS OF, **33**: Sup. Mch., '09, 144-52.
- Childhood, conserving, **33**: Sup. Mch., '09, 1-14.
- Children: **13**: 139, 419; **17**: 361; **20**: 647-8; **22**: 538; **32**: Sup. Jy., '08, 4-10, 19-30; **33**: Sup. Mch., '09, 30-40; **34**: Sup. Jy., '09, 31; **35**: Sup. Mch., '10, 76-9; Boston, **22**: 536-7; conservation, **33**: Sup. Mch., '09, 1-14; **38**: Sup. Jy., '11, 8-16; crippled, **18**: 372; **26**: 778; cruelty, **22**: 537-8; **26**: 774; **27**: 458-61; delinquent, **35**: Sup. Mch., '10, 64; dependent, **14**: 276; **18**: 278-9; **35**: Sup. Mch., '10, 63; education, **32**: Sup. Jy., '08, 72; employment, **31**: Sup. M., '08, 24-35; illiteracy, **31**: Sup. M., '08, 1-3; **32**: Sup. Jy., '08, 74-6; insurance, **18**: 564; Missouri, **32**: Sup. Jy., '08, 134; **35**: Sup. Mch., '10, 176-7; **38**: Sup. Jy., '11, 174; New Jersey, **22**: 535-6; Ontario, **19**: 517; Pennsylvania, **21**: 494; pensions, **35**: Sup. Mch., '10, 36; protection, **29**: 57-60; **32**: Sup. Jy., '08, 95; public school education, **41**: 163; school, **31**: Sup. M., '08, 16-18; street traders, **35**: Sup. Mch., '10, 143; street trades, **25**: 437; **35**: Sup. Mch., '10, 12, 140, 143; Welfare Commission, **41**: 272; working, **34**: Sup. Jy., '09, 23-6; **35**: Sup. Mch., '10, 144. See Federal Children's Bureau.
- CHILD AND THE LAW, THE, **33**: Sup. Mch., '09, 63-72.
- CHILD, THE LEADERSHIP OF THE, **32**: Sup. Jy., '08, 19-30.
- CHILD, THE NEW VIEW OF THE, **32**: Sup. Jy., '08, 4-10.
- CHILD PROTECTION, THE DUTY OF THE PEOPLE IN, **32**: Sup. Jy., '08, 97-160.
- CHILD SAVING, EFFICIENCY IN, **41**: 69-70.
- CHILD WORKERS OF THE NATION, THE, **33**: Sup. Mch., '09.
- CHILDREN ON THE STREETS OF CINCINNATI, **32**: Sup. Jy., '08, 113-23.
- CHILDREN, THE NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO, **31**: 492-40.
- CHILDREN, THE IMPORTATION OF DEPENDENT, **18**: 278-86.
- CHILDREN, THE SIGNIFICANCE OF THE DECREASING PROPORTION OF, **34**: 71-80.
- CHILDREN, WHY THE, ARE IN THE FACTORY, **32**: Sup. Jy., '08, 67-71.
- CHILDREN, THE FEDERAL GOVERNMENT AND THE WORKING, **27**: 289-92.
- CHILDREN IN THE GLASS WORKS OF ILLINOIS, **29**: 77-83.
- CHILDREN, DUTY OF A RICH NATION TO TAKE CARE OF HER, **33**: Sup. Mch., '09, 15-22.
- CHILDREN, NATIONAL PROTECTION FOR, **29**: 57-70.
- CHILDREN, NEGRO, IN THE PUBLIC SCHOOLS OF PHILADELPHIA, **49**: 186-208.
- CHILDREN, PHYSICAL CARE OF THE, **37**: 487-93.
- CHILDREN, THE PLAYGROUND FOR, AT HOME, **35**: 374-81.
- CHILDREN, HEALTH OF SCHOOL, WHAT AMERICAN CITIES ARE DOING FOR THE, **37**: 494-504.
- CHILDREN IN AMERICAN STREET TRADES, **25**: 437-58.
- CHILDREN IN THE TEXTILE INDUSTRY, **35**: Sup. Mch., '10, 42-6.
- CHILDREN, THE EIGHT HOURS DAY FOR WORKING, **34**: Sup. Jy., '09, 23-6.



- CHILDREN'S BUREAU, ESTABLISHMENT OF A NATIONAL, **34**: 48-53.
- CHILDS, RICHARD S. The Principles Underlying the City-Manager Plan,<sup>1</sup> The Short Ballot and the Commission Plan, **38**: 816-22; A Theoretically Perfect County, **47**: 274-8.
- CHILDS, WILLIAM T. Baltimore's Markets, **50**: 119-27.
- CHILE: **37**: 650; **54**: 9, 16, 63, 293; **60**: 85-6; commercial relations, **37**: 731; exports, **60**: 84; Pan American union, **54**: 128; population, **54**: 11; trade with, **54**: 251; unemployment, **60**: 85.
- CHILE, COMMERCIAL RELATIONS OF, **37**: 731-7.
- CHILE, MONETARY SYSTEM OF, THE, **37**: 683-706.
- China: **1**: Sup. Mch., '91, 15; **2**: 77; **3**: 506; **9**: 359-79; **13**: Sup. M., '99, 107-8, 169; **17**: 9; **18**: 251-74; **36**: Sup. Jy., '10, 27-30; **37**: 301; **39**: 1, 7, 13, 18-25, 29-31, 33, 34, 37, 38, 40, 48-9, 60, 68-9, 86, 103, 116-17, 136-7, 140, 141, 146, 148, 150-1, 156, 160-3, 170, 174; **42**: 125; **45**: 112, 113, 115-16; **54**: 254-9; animals, **39**: 169-78; army, **36**: Sup. Jy., '10, 28; bibliography, **39**: 151-3; Canada, **45**: 10, 12, 13, 99-130, 216; capita-tion tax, **45**: 9, 10, 101, 102, 104, 110; christianity, **39**: 70; climate, **39**: 140, 146; coinage, **9**: 359-79; commerce, **39**: 7; conservatism, **36**: Sup. Jy., '10, 27; consular courts, **39**: 99, 100; customs duties, **39**: 49; customs revenue, **13**: Sup. M., '99, 129, debt, **14**: 262; democracy, **39**: 16, 20; dog; **39**: 172; education, **39**: 8, 34, 83-91, 93-6, 114; emigration, **39**: 81; exclusion, **34**: 363-74; **45**: 124; **54**: 247; extradition, **39**: 103; extraterritoriality, **39**: 97-108; foreign intervention, **39**: 15; frontiers, **39**: 41; Germany, **39**: 37; industries, **39**: 163; institutions, **39**: 16; labor, **34**: 247; manufacturing, **13**: Sup. M., '99, 159; metals, **39**: 150; minerals, **39**: 147; mines, **39**: 149; mining, **39**: 53; missionaries, **17**: 4-8; **39**: 8; "most-favored-nation" clause, **39**: 49; naturalization of, **45**: 111; open door, **54**: 250; partition, **13**: Sup. M., '99, 137, 145; Philippine Islands, **30**: 123; political disorganization, **39**: 6; popular government, **39**: 34; provincial legislatures, **39**: 30; railways, **23**: 121-40; rebellion, **39**: 23; reconstruction, **39**: 18-25; republican government, **39**: 32; resources, **39**: 130-53; schools, **39**: 90; silver, **9**: 359-79; taxation, **39**: 88; taxes, **39**: 155; teachers, **39**: 85, 95; trade, **13**: Sup. M., '99, 137, 144; university, **39**: 93; Young Men's Christian Association, **39**: 23, 109.
- CHINA, THE SIGNIFICANCE OF THE AWAKENING OF, **36**: Sup. Jy., '10, 27-31.
- CHINA, CAUSES OF CHINESE EMIGRATION, **39**: 74-82. See Emigration.
- CHINA, EXTRATERRITORIALITY IN, **39**: 97-108.
- CHINA, THE CAUSES OF THE UNPOPULARITY OF THE FOREIGNER IN, **17**: 1-14.
- CHINA: GEOGRAPHY AND RESOURCES, **39**: 130-53.
- CHINA, THE LIFE OF A GIRL IN, **39**: 62-70.
- CHINA, AN INTERPRETATION OF, **39**: 1-10.
- CHINA AND JAPAN, THE RELATIONS OF THE UNITED STATES WITH, **54**: 254-9.
- CHINA, NOTES ON THE MAMMALS OF ECONOMIC VALUE IN, **39**: 169-220.
- CHINA, THE ONE SOLUTION OF THE MANCHURIAN PROBLEM, **39**: 39-55.
- CHINA, MEDICINE AS PRACTICED BY THE CHINESE, **39**: 124-9. See Medicine.
- CHINA: THE OPEN DOOR, **39**: 56-61.
- CHINA, REPUBLICAN GOVERNMENT IN, **39**: 26-38.
- CHINA, SILVER IN, **9**: 359-79.
- CHINA: SOCIAL AND ECONOMIC CONDITIONS, **39**.
- CHINA, THE RELATIONS OF THE UNITED STATES WITH, **54**: 254-9.
- CHINA, A WEDDING IN SOUTH, **39**: 71-3. See Wedding.
- CHINA'S AWAKENING, THE COMMERCIAL SIGNIFICANCE OF, **36**: Sup. Jy., '10, 32-7.
- CHINA'S METHOD OF REVISING HER EDUCATIONAL SYSTEM, **39**: 83-96.
- CHINA'S RELATION WITH THE WEST, **13**: Sup. M., '99, 168-96.
- CHINESE, CANADA AND THE: A COMPARISON WITH THE UNITED STATES, **45**: 99-130.
- CHINESE CRISIS, CULTURAL FACTORS IN THE, **16**: 435-45.
- CHINESE EXCLUSION LAW, ENFORCEMENT OF THE, **34**: 363-74.
- CHINESE AND JAPANESE IN AMERICA, **34**: S., '09.
- CHINESE AND JAPANESE IMMIGRANTS—A COMPARISON, **34**: 223-30.
- CHINESE LABOR COMPETITION ON THE PACIFIC COAST, **34**: 340-50.
- CHINESE LABOR SITUATION, DEVELOPMENTS IN, **46**: 178-82.
- CHINESE, MEDICINE AS PRACTICED BY THE, **39**: 124-9.
- CHINESE RECONSTRUCTION, CERTAIN ASPECTS OF, **39**: 18-25.
- CHINESE REVOLUTION, THE, **39**: 11-17.
- CHINESE YOUNG MEN'S CHRISTIAN ASSOCIATION, THE, **39**: 109-23.
- Chipman, J. L., **4**: Sup. S., '93, 100.
- CHRISTENSEN, NIELS. Fifty Years of Freedom: Conditions in the Seacoast Regions, **49**: 58-66; State Dispensaries of South Carolina, **32**: 545-55.
- Christian, **29**: Sup. Mch., '07, 68.
- CHRISTIAN ASSOCIATION, RURAL WORK OF THE YOUNG MEN'S, **40**: 140-8.
- CHRISTIAN ASSOCIATION, THE CHINESE YOUNG MEN'S, **39**: 109-23.
- Christian ministry, training, **39**: 120.
- missions, **7**: 374.
- CHRISTIAN SETTLEMENT, THE, **30**: 483-9.
- Christian Socialists, **4**: Sup. Mch., '94, 47, 73.
- CHRISTIAN TEMPERANCE UNION, ORGANIZATION AND ACCOMPLISHMENTS OF THE WOMAN'S: Illinois, Massachusetts, New York, North Dakota, Ohio, Virginia, **32**: 513-30.
- CHRISTIAN TEMPERANCE UNION, THE WORK OF THE NATIONAL WOMAN'S, **32**: 508-12.
- Christiania, **55**: 63.
- Christianity, China, **39**: 70.
- CHUN, MISS YING-MEI. A Wedding in South China, **39**: 71-3.
- Church: **6**: 183, 353; **9**: 403; **21**: 240; **29**: Sup. Mch., '07, 2, 15, 30, 50, 59, 62, 64-5, 84;

<sup>1</sup> See footnote, p. 27.



- 30:** 488, 540, 542-3; **34:** 574; **35:** Sup. Mch., '10, 24, 26; **49:** 61; child labor, **25:** 574-8; institutional, **10:** 136; Methodist, **49:** 61; negroes, **49:** 14, 25, 50, 71, 86, 120-8, 165; New York, **11:** 296; rural, **40:** 131-9; Russia, **11:** 147, 165; social reform, **5:** 353.
- CHURCH, INDIFFERENCE OF THE, TO CHILD LABOR REFORM, 35:** Sup. Mch., '10, 23-32.
- CHURCH AND PHILANTHROPY, THE, 30:** 522-38.
- CHURCH, THE POSITION AND WORK OF THE ROMAN CATHOLIC, IN THE PHILIPPINES, 30:** 83-9.
- CHURCHES AND RELIGIOUS CONDITIONS, 49:** 120-8.
- CHURCH, THE RURAL, 40:** 131-9.
- CHURCH IN ITS SOCIAL ASPECT, THE, 30:** 429-40.
- CHURCH, SOCIAL WORK OF THE, 30:** N., '07.
- CHURCH AND THE WORKING MAN, THE, 30:** 441-55.
- CHUTE, CHARLES L. The Glass Industry and Child Labor Legislation. 38:** Sup. Jy., '11, 123-32.
- Cigars, Berlin, 9:** 313.
- Cincinnati: 6:** 157; **7:** 152; **8:** 196, 414; **9:** 472-3; **10:** 129; **11:** 427; **12:** 309, 445; **13:** 128-412; **14:** 141, 262; **15:** 200; **16:** 157, 488; **19:** 149-50; **20:** 448-9; **24:** 584; **25:** 389-90; **27:** 193, 405-7; **32:** Sup. Jy., '08, 113-23; **41:** 235, 262, 264, 281; **51:** 202; Bureau of Municipal Research, **41:** 262-9; car-lot markets, **50:** 2; charter, **13:** 412; child labor, **35:** Sup. Mch., '10, 144; civic organizations, **22:** 383; **27:** 405; civil service, **7:** 354; constitutional amendments, **22:** 383-4; Consumers' League, **29:** 176-8; corrupt practices, **8:** 198; **11:** 428; debt, **11:** 428; **14:** 262; diseases, **29:** 194; education, **25:** 173-5; **44:** 77; elections, **12:** 445; **13:** 128; **21:** 483-4; finance, **6:** 556; **11:** 428; **16:** 157; **17:** 355; **21:** 320; gas, **14:** 141, 262; health, **41:** 62; housing, **1:** Sup. F., '91, 8; indebtedness, **14:** 262; **25:** 621-2; infant mortality, **31:** 489; lighting, **41:** 266; liquor, **23:** 376-7; market, **50:** 116, 139-52; meats, **28:** 327; messenger boys, **32:** Sup. Jy., '08, 119-23; newsboys, **32:** Sup. Jy., '08, 113-17; **35:** Sup. Mch., '10, 138-9; parks, **13:** 128; **23:** 557; **41:** 262; paving, **29:** 581; pensions for teachers, **8:** 198; police, **24:** 584; political movements, **10:** 129; population, **16:** 488; schools, **15:** 200; **44:** 78; street railways, **6:** 551; **7:** 144; taxation, **7:** 354-6; **28:** 157; water, **8:** 194, 197, 414; **9:** 471; **30:** 578.
- CINCINNATI BUREAU OF MUNICIPAL RESEARCH, THE, 41:** 262-9.
- CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN, NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO: STREET RAILWAYS IN THE UNITED STATES, 7:** 144-61.
- CINCINNATI, NEW YORK, PHILADELPHIA, CHICAGO, SAN FRANCISCO, DEVELOPMENT OF STREET RAILWAY SYSTEM, 6:** 551-201.
- Cities: 1:** 41; **4:** 850-82; **7:** 420; **10:** 17; **11:** 119; **13:** 1-30, 267; **15:** 123, 128, 288-9, 294-5; **25:** 615-35; **27:** 132-54; **29:** Sup. Mch., '07, 10, 56, 70, 85-6, 89; **37:** 43; **41:** 3, 6, 14, 44, 57, 103, 268, 289, 298; **47:** 239; **50:** 15, 69, 70, 102, 163, 248; **51:** 19, 20, 87-8, 94, 183, 204, 226, 235, 246, 252-3; **53:** 45, 93; **57:** 17, 189, 196, 200, 262-4, 277, 295; **59:** 288-90; **61:** 199, 206; **62:** 115, 190; American, **7:** 144-5, 148, 150-4, 156, 349, 351, 353, 357, 504-6; **9:** 152, 155-7, 166, 289, 291-3, 296, 298-9, 302, 306, 309, 465, 468-73, 475, 479, 482; **11:** 115, 117, 122, 199, 274, 276, 278, 421-3, 425-9; **12:** 144, 147-9, 152, 301, 304-5, 307, 309, 443, 445-8; **13:** 124-5, 127-8, 131, 138, 140, 228, 270-1, 273, 275-6, 407, 412-13, 415-16; **14:** 137, 139, 141-2, 145, 147, 262, 268, 275, 380, 383-4, 386, 391; **15:** 118-20, 126, 175-6, 181, 193, 196, 199-201, 288-90, 292, 470, 473-4, 476; **16:** 148, 154, 156-7, 316-17, 320, 322, 482-3, 487-9; charters, **2:** 340; councils, **57:** 73-5; farms, **8:** 418, 427; finances, **12:** 436; foreign, **9:** 159, 162-3, 303-5, 310, 313, 474; **11:** 285-6, 430; **12:** 155, 311; **13:** 132, 134, 277, 279, 417; **14:** 143-4; **15:** 294-5, 477, 483; **16:** 159-60, 167, 492; government, see government; growth, **50:** 102; immigration, **1:** Sup. F., '91, 3-4; initiative and referendum, **38:** 823-32; Japan, **25:** 322-4; land values, **58:** 152-5; markets, **50:** 104, see markets; Milwaukee, **57:** 148-9; planning, see City Planning; New York, **7:** 504; Pennsylvania, **8:** 573; pensions, **41:** 295-6; population, **1:** Sup. F., '91, 3; public service corporations, **57:** 120; recreation, **51:** 210; street railways, **12:** 103-8; streets, **51:** 183; transit, **51:** 154; wastes, **51:** 228-33; Wisconsin, **53:** 98.
- CITIES, BUDGET MAKING FOR SMALL, 62:** 235-48.
- CITIES, COLORED POPULATION IN LARGE, 7:** 516-17.
- CITIES, CONSTITUTIONAL LIMITATIONS RELATING TO, AND THEIR AFFAIRS, 27:** 232-3.
- CITIES, EFFICIENCY IN THE FISCAL OPERATIONS OF, 41:** 71-7.
- CITIES, THE GROWTH OF GREAT, 13:** 1-30.
- CITIES, HOME RULE FOR OUR AMERICAN, 3:** 736-63.
- CITIES, THE HOUSING PROBLEM IN AMERICAN, 25:** 248-72.
- CITIES, INFANT MORTALITY IN THE AMERICAN, 31:** 484-91.
- CITIES, A PROPOSED MUNICIPAL CODE FOR NEW JERSEY, 41:** 204-12.
- CITIES, CONDITIONS AMONG NEGROES IN THE, 49:** 105-19.
- CITIES, THE DEVELOPMENT OF PARK SYSTEMS IN AMERICAN, 25:** 218-34.
- CITIES, PRUSSIAN. THE PRUSSIAN STÄDTETAG, 13:** 364-9.
- CITY, THE RECONSTRUCTED, 59:** 283-90.
- CITIES, WHAT CERTAIN, HAVE ACCOMPLISHED WITHOUT STATE REGULATION, 57:** 72-82.
- CITIES, STATE SUPERVISION FOR, 5:** 865-81.
- CITIES AND TOWNS, RELATION OF, TO STREET RAILWAY COMPANIES, 12:** 98-108.
- CITIES, METHODS OF INCREASING THE EFFICIENCY OF SURFACE LINES IN LARGE, 37:** 43-58. See Street Railways.
- CITIES, TAXATION IN AMERICAN, 28:** 155-72.
- CITY DETERIORATION AND THE NEED OF CITY SURVEY, 34:** 54-68.
- CITY GOVERNMENT, BUDGETARY PROCEDURE UNDER THE MANAGER FORM OF, 62:** 163-75.

- CITY GOVERNMENT, EFFICIENCY IN, 41.**  
**CITY GOVERNMENT, EFFICIENCY IN, 41: 1-22.**  
**CITY GOVERNMENT, THE FINANCIAL RELATION OF THE DEPARTMENT OF EDUCATION TO THE, 15: 186-203.**  
**CITY GOVERNMENT, GOOD, FOURTH NATIONAL CONFERENCE, 8: 188-90.**  
**CITY GOVERNMENT, THE GRAND JUNCTION PLAN OF, AND ITS RESULTS, 38: 757-72.**  
**CITY GOVERNMENT IN JAPAN, 25: 322-3.**  
**CITY GOVERNMENT, THE PROBLEMS OF, FROM THE ADMINISTRATIVE POINT OF VIEW, 27: 132-54.**  
**CITY GROWTH: SIGNIFICANCE OF RECENT, THE ERA OF SMALL INDUSTRIAL CENTRES, 23: 32-36.**  
**CITY LIFE AND PROGRESS, 25: Mch., '05.**  
 City manager: budgets under, **62: 163-75**; government by, **62: 163, 166, 174.**<sup>1</sup>  
**CITY-MANAGER CHARTER OF DAYTON.<sup>1</sup>**  
**CITY-MANAGER PLAN, ADOPTION OF THE.<sup>1</sup>**  
**CITY-MANAGER PLAN AND EXPERT CITY MANAGEMENT.<sup>1</sup>**  
**CITY-MANAGER PLAN, THE PRINCIPLES UNDERLYING THE.<sup>1</sup>**  
**CITY MANAGER. MANAGER FORM OF CITY GOVERNMENT, BUDGETARY PROCEDURE UNDER THE, 62: 163.**  
**CITY PLAN, FINANCING A, 51: 246-53.**  
**CITY PLAN FOR WASTE DISPOSAL, 51: 228-33.**  
**CITY PLAN, THE WATER FRONT AND THE, 51: 222-7.**  
 City planning: **39: 255-90; 41: 155, 178; 51: 133, 162-3, 170, 208, 211-14, 239-45, 247-9; 53: 116; 59: 283-4; 62: 157**; financing, **57: 246-53**; Germany, **51: 179**; legislation, **51: 239-45**; Massachusetts, **50: 242**; parks, **51: 213**; recreation, **51: 208-15**; transportation, **51: 163**; water system, **51: 170.**  
**CITY PLANNING AND DISTRIBUTION COSTS, 50: 240-6.**  
**CITY PLANNING, THE INTERRELATION OF HOUSING AND, 51: 162-71.**  
**CITY-PLANNING LEGISLATION, 51: 239-45.**  
**CITY PLANNING AND PHILADELPHIA PARKS, 35: 287-96.**  
**CITY PLANNING AND THE PROBLEM OF RECREATION, 51: 208-15.**  
**CITY POPULATION, THE SHIFTLESS AND FLOATING, 10: 149-64.**  
**CITY SCHOOL SYSTEMS, ATTAINING EFFICIENCY IN, 41: 158-75.**  
**CITY SURVEY, CITY DETERIORATION AND THE NEED OF, 34: 54-70.**
- <sup>1</sup> In February, 1914, a revised edition of the Commission Government Volume (issued in November, 1911) was printed. A particular section of this revised edition was devoted to "The City Manager Plan." Following is a list of the new articles which appear in that section: "The Principles underlying the City-Manager Plan," by Richard S. Childs; "A Proposal for a School of Municipal Administration at the University of Texas," by Herman G. James; "The City-Manager Charter of Dayton," by L. D. Upson; "Adoption of the City-Manager Plan," by Ernest S. Bradford; "The City-Manager Plan and Expert City Management," by H. S. Gilbertson. The following articles not in this section were also prepared for this revised edition: "Some Commission Government Accomplishments and Deficiencies," by Henry Brûère, and "Securing Efficient Administration under the Commission Plan," by Frederick W. Donnelly.
- Citizens: **4: Sup. S., '93, 50; 29: Sup. Mch., '07, 30; 60: 168; 61: 266.**  
**CITIZENS, AMERICAN, IN FOREIGN COUNTRIES, 54: 236-42.**  
**CITIZENS OF NEUTRAL COUNTRIES, THE RIGHT OF, TO SELL AND EXPORT ARMS AND MUNITIONS OF WAR TO BELLIGERENTS, 60: 168-82.**  
 Citizens' Federation of Hudson County, **47: 256.**  
 — Union: New York, **11: 115**; Philadelphia, **119.**  
 Citizenship: **6: 338; 7: 409; 10: 325, 359; 17: Sup. J., '01, 76; 29: Sup. Mch., '07, 7, 25, 30; 41: 19; 49: 93-104; 61: 266**; dependencies, **13: Sup. M., '99, 26**; insular possessions, **30: 104-14**; negro, **49: 93**; schools, **10: 385**; training, **10: 359**; world, **60: 227.**  
**CITIZENSHIP, NATURALIZATION AND, IN THE INSULAR POSSESSIONS OF THE UNITED STATES, 30: 104-14.** See Naturalization.  
**CITIZENSHIP, PROBLEMS OF, 49: 93-104.**  
 Citrus fruit growers, **50: 68.**  
**CIVIC ACTION, HEALTH NEEDS AND, 37: 247-56.**  
**CIVIC ACTIVITIES OF WOMEN'S CLUBS, 56: 78-87.**  
**CIVIC ART AND COUNTRY LIFE, 40: 191-9.**  
 Civic Federation: National, **20: 37-42**; New Jersey, **19: 495-6.**  
 — improvement: American League, **21: 259**; Minneapolis, **22: 528-9**; St. Louis, **21: 481.**  
 — organizations: **25: 359-401; 27: 400**; Baltimore, **27: 402**; Buffalo, **27: 404**; Cincinnati, **22: 383**; Los Angeles, **27: 413**; Pittsburgh, **27: 407**; **41: 187**; Seattle, **25: 399-400; 27: 414.**  
**CIVIC ORGANIZATIONS AND MUNICIPAL PARTIES, 27: 400-15.**  
 Civics, **22: 386, 529-30.**  
 Civil engineering, **44: 126.**  
**CIVIL GOVERNMENT, ESTABLISHMENT OF, IN THE PHILIPPINES, 20: 313-27.**  
 Civil service: **3: 838; 7: 354, 422; 8: 577; 11: 181, 269-71; 15: 145-59, 167; 17: 141-3, 257; 19: 340-50; 21: 229-30; 29: Sup. Mch., '07, 35, 54; 38: 108; 41: 16, 17, 18, 105, 259, 283, 289, 293, 297, 298, 301**; administration in New York City, **5: 806**; American cities, **16: 154, 315-16, 319; 17: 142-3**; Baltimore, **17: 142**; Buffalo, **19: 492**; California, **47: 101**; Canada, **1: 9**; charters, **38: 808**; Chicago, **9: 291, 468; 11: 276; 12: 307; 16: 316; 17: 142, 144**; Cincinnati, **7: 354**; cities, **7: 422; 15: 350**; colonial, **20: 469-71; 30: 23**; Colorado, **17: 143; 47: 101**; counties, **47: 4, 101-11, 147, 277**; Denmark, **47: 108**; education, **38: 3**; German cities, **15: 350**; German colonies, **20: 469-71**; Germany, **15: 350; 20: 71, 469**; Illinois, **47: 101, 108**; Los Angeles, **47: 235**; Massachusetts, **9: 292; 16: 319; 17: 142**; **47: 104**; National, **11: 269**; New Jersey, **47: 101-8**; New Orleans, **14: 147; 17: 142**; New York, **10: 29, 291; 11: 113; 14: 268**; **47: 101, 104, 108**; New York City, **5: 806**; **13: 407; 17: 141; 25: 378-9**; New York State, **7: 506; 11: 113; 15: 167; 16: 315**;

- Pennsylvania, **7**: 506; **14**: 138; **24**: 410; **44**: 410; pension, **38**: 1-5; Philippine Islands, **19**: 342-9; Pittsburgh, **16**: 154; San Francisco, **17**: 142-3; **19**: 150-1; **24**: 403-5; **47**: 108; state supervision, **38**: 811; Wisconsin, **53**: 105; women, **28**: 223, 245-52; **56**: 74.
- CIVIL SERVICE IN OUR NEW DEPENDENCIES, THE, **19**: 340-50.
- CIVIL SERVICE, THE MERIT SYSTEM AND THE COUNTY, **47**: 101-11.
- CIVIL SERVICE PENSIONS, **38**: 1-5.
- CIVIL SERVICE PROVISIONS IN COMMISSION CHARTERS, **38**: 808-15.
- CIVIL SERVICE REFORM, POLITICAL EVOLUTION AND, **15**: 145-59.
- CIVIL SERVICE REFORM LEAGUE, THE NATIONAL, **11**: 269-70.
- CIVIL WAR, INDUSTRIAL CAUSES AFFECTING AMERICAN COMMERCIAL POLICY SINCE, **23**: 43-54.
- CIVIL WAR, THE NATIONAL PENSION SYSTEM AS APPLIED TO THE, AND THE WAR WITH SPAIN, **19**: 204-26.
- Civilization, **38**: Sup. Jy., '11, 1-7; **60**: 206; **61**: 235, 239, 252, 261.
- CIVILIZATION, THE ATTITUDE OF SOCIETY TOWARD THE CHILD AS AN INDEX OF, **29**: 135-41.
- CIVILIZATION, AN EDUCATIONAL POLICY FOR SPANISH-AMERICAN, **30**: 65-8.
- CIVILIZATION, WOMAN'S PLACE IN THE NEW, **56**: 9-17.
- CLAGHORN, KATE HOLLADAY. Immigration in its Relation to Pauperism, **24**: 185-205; Record Keeping as an Aid to Enforcement, **51**: 117-24.
- CLARK, A. INGLIS. Natural Rights, **16**: 212-26.
- CLARK, ANNIE W. Local Option and Its Results in Ohio, **32**: 476-80.
- CLARK, E. E. Arbitration of Industrial Disputes, **24**: 285-95.
- CLARK, FREDERICK C. Neglected Socialist, **A**, **5**: 718-39.
- CLARK, JOHN BATES. The Possibility of Competition in Commerce and Industry, **42**: 63-6; Patten's Dynamic Economics, **3**: 30-44; Surplus Gains of Labor, **3**: 607-17; An Unfinished Study by Dr. Merriam, **4**: 969-72; The Law of Wages and Interest, **1**: 43-65. See also **44**: Sup. N., '12, 4-5.
- CLARK, J. M. Mining Legislation in Canada, **45**: 151-7.
- CLARK, VICTOR S. Present State of Labor Legislation in Australia and New Zealand, **33**: 440-7.
- CLARKE, ALBERT. What Provisions of the Dingley Tariff Require Revision, **32**: 271-83.
- CLARKE, JAMES B. The Negro and the Immigrant in the Two Americas, **49**: 32-7.
- Class consciousness, **44**: 117.
- legislation, **3**: 226.
- rotation, **29**: Sup. Mch., '07, 7, 38, 45.
- Classes, **44**: Sup. N., '12, 18, 28, 32, 36, 40.
- CLAUSEN, JOHN. The Development of our Foreign Trade under the Federal Reserve Act, **63**: 132-41.
- CLAXTON, P. P. A Model School, **22**: 245-8.
- Clayton Act, export trade and the, **61**: 55; **63**: 1, 2, 14.
- -Bulwer Treaty, **4**: Sup. S., '93, 135-7; **7**: 16.
- CLAYTON-BULWER TREATY, THE TERMS AND TENOR OF THE, **14**: 285-309.
- Clearing houses, **31**: 361, 463, **38**: 485; **37**: Sup. J., '11, 8; **59**: 228-9; **61**: 60-1; certificates, **31**: 375; Seattle, **59**: 229.
- CLEARING HOUSE, A NATIONAL, AS A SAFEGUARD AGAINST PANICS, **31**: 460-2.
- CLEARING-HOUSE CERTIFICATES AND THE NEED FOR A CENTRAL BANK, **31**: 361-6.
- CLEARING HOUSE FUNCTIONS, ENLARGEMENT OF, **36**: 607-12.
- CLEMENT, ERNEST W. Constitutional Government in Japan, **21**: 209-20.
- Clement, P., writings of, **4**: Sup. Mch., '94, 131-2.
- Clements, Edwin, **4**: Sup. S., '93, 26-30.
- CLEMENTS, PAUL H. Canada and the Chinese: A Comparison with the United States, **45**: 99-130.
- CLEVELAND, FREDERICK A. Bonds in their Relation to Corporation Finance, **30**: 412-27; Classification and Description of Bonds, **30**: 400-11; Evolution of the Budget Idea in the United States, **62**: 15-35; Mr. Carnegie as Economist and Social Reformer, **17**: 474-80; Neglected Aspects of Currency and Banking, **31**: 420-47; Our Present Financial Outlook, **21**: 280-92; The Final Report of the Monetary Commission, **13**: 31-56; Municipal Ownership as a Form of Governmental Control, **28**: 359-70; The Need for Coordinating Municipal, State and National Activities, **41**: 23-39; The Financial Reports of National Banks as a Means of Public Control, **24**: 43-66; The Relation of Auditing to Public Control, **26**: 665-80; The South African Conflict—Its Legal and Political Aspects, **15**: 1-40; Is the United States Treasury Responsible for the Present Monetary Disturbance? **20**: 493-517.
- Cleveland, Grover, Venezuela case and, **54**: 22.
- CLEVELAND, TREADWELL, JR. Federal Control of Water Power in Switzerland, **33**: 597-601; National Forests as Recreation Grounds, **35**: 241-7.
- Cleveland: **9**: 299; **10**: 476-7; **11**: 134, 428; **12**: 446-7; **13**: 127-273; **14**: 380; **15**: 120, 181, 201, 289; **22**: 381; **24**: 582; **25**: 387-8, 621; **41**: 171; **47**: 7, 113, **62**: 264-6, 268-9; charter, **9**: 299; Consumers' League of, **29**: 174-6; education, **25**: 170; **41**: 171; elections, **13**: 273; electric light service, **27**: 208; electric rates, **57**: 80; finance, **21**: 320; **62**: 264; gas, **9**: 301; **27**: 208; Goodrich House, **11**: 134; immigration, **52**: 168; lighting, **13**: 273; liquor, **23**: 372-3; markets, **50**: 112; 128-30; municipal association, **15**: 120; **22**: 381-3; municipal ownership, **23**: 172-3; parks, **23**: 557-8; paving, **29**: 578; police,

- 24: 582; political movements, 10: 477; public parties, 11: 428; rates, 57: 80; schools, 15: 181, 201; 17: 145-7; street railways, 10: 476; 12: 446; 13: 127, 274; 14: 380; 15: 121, 289; 17: 353-4; 37: 148, 57: 80; water, 30: 569; weights and measures, 50: 128.
- CLEVELAND, BUDGET MAKING IN, 62: 264-9.
- CLEVELAND, MUNICIPAL MARKETS IN, 50: 128-30.
- CLEWS, HENRY. The Mexican Situation, 54: 162-5; Publicity and Reform in Business, 28: 143-54.
- Cliffe-Leslie, T. E., 4: Sup. Mch., '94, 126-7.
- CLINIC, PSYCHOLOGICAL, WITH PRESENTATION OF CASES, 34: 141-62.
- CLOPPER, E. N. Child Labor in the Ohio Valley States, 33: Sup. Mch., '09, 79-85; Child Labor in Street Trades, 35: Sup. Mch., '10, 137-44; Children on the Streets of Cincinnati, 32: Sup. Jy., '08, 113-23; The Enforcement of Child Labor Laws, 63: 272-7; The Forward Movement in Missouri, West Virginia and Indiana, 38: Sup. Jy., '11, 149-53; The Night Messenger Boy, 38: Sup. Jy., '11, 103-4.
- Closed shop, 42: 123; 44: 24, 34.
- "CLOSED SHOP," THE FALLACY OF THE, 27: 517-20.
- CLOWES, J. H. Efficiency in Water Revenue Collection, 41: 86-92.
- Clubs: 35: 428; 56: 58-60, 79-84. See Recreation.
- CLUBS, CIVIC ACTIVITIES OF WOMEN'S, 56: 78-87.
- CLUBS, INFLUENCE OF WOMEN'S, IN NEW ENGLAND AND IN THE MIDDLE-EASTERN STATES, 28: 205-26.
- CLUBS, WOMEN'S, IN THE MIDDLE-WESTERN STATES, 28: 227-47.
- CLUBS, WORK OF THE WOMEN'S, IN CALIFORNIA, 28: 257-60.
- CLUB MOVEMENT, MEANING OF THE WOMAN'S, 28: 199-204.
- CLUB WORK, EFFECT OF, IN THE SOUTH, 28: 248-56.
- Coal, 15: Sup. M., '00, 156; 16: 497; 18: 390; 32: 351; 39: 148; 41: 98; 42: 162-4, 180, 188-9; 59: 24-6; 60: 52. See Anthracite.
- COAL INDUSTRY, THE EXTENT OF CHILD LABOR IN THE ANTHRACITE, 29: 35-49.
- COAL INDUSTRY, THE TRADE AGREEMENT IN THE, 36: 340-8.
- COAL MINES, CHILD LABOR IN THE, 27: 293-9.
- COAL MINES, CHILD LABOR IN THE SOFT, 29: 26-34.
- COAL MINES OF PENNSYLVANIA, THE, 38: Sup. Jy., '11, 133-8.
- COAL STRIKE, THE ANTHRACITE, 17: 15-52.
- COAN, TITUS MUNSON. The Natives of Hawaii: A study of Polynesian charm, 18: 9-17.
- COCHRAN, JOSEPH WILSON. The Church and the Working Man, 30: 441-55.
- CODDING, J. K. The Ideal for Kansas, 46: 54-7; Prohibition in Kansas, 32: 567-73.
- Coffee, 45: 251.
- COFFEE MARKET, THE, 38: 610-20.
- COFFEEN, ELMER L. The Activities of Delinquent Boys, 46: 72-7.
- COHN, GUSTAV. A History of Political Economy. Translated by Joseph Adna Hill, 4: Sup. Mch., '94. See also 4: Sup. S., '93, 22.
- Coinage: China, 9: 359-79; debased money, 12: 231; free, 9: 192-211; 14: 70; Massachusetts, 12: 231.
- COINAGE, SILVER FREE, AND THE LEGAL TENDER DECISIONS, 9: 198-211.
- COKER, F. W. Administration of Local Taxation in Ohio, 47: 182-98.
- COLBURN, RICHARD T. Pacific Railway Debts, The, 5: 684-704; Taxation of Large Estates, 4: 82-90.
- Cold storage: 48: 154-63, 201, 217; 50: 44-6, 48-52, 54-5, 57, 65, 71, 234; eggs, 50: 50; Massachusetts, 50: 46; poultry, 50: 50.
- COLD STORAGE, RELATION OF, TO THE FOOD SUPPLY AND THE CONSUMER, 48: 154-63.
- COLER, BIRD S. Financial Control: Capitalization, Methods of Accounting and Taxation, 15: Sup. M., '00, 21-30.
- Collective bargaining, 44: 111, 139, 141, 143; 48: 235.
- Collectivism, 44: 104, 108, 122.
- College settlements: 7: 372; 9: 164, 309; 11: 292.
- Colleges, 5: 816; 9: 313; 10: 382; 12: 22-3, 42.
- COLLEGE AND SOCIAL SETTLEMENTS, 5: 816.
- COLLEGE DISCIPLINE, RURAL SOCIOLOGY AS A, 40: 12-18.
- COLLEGE EDUCATION, THE DESIRABILITY OF A, FOR RAILROAD WORK, 28: 124-9.
- COLLEGE MEN IN BUSINESS, 28: 58-69.
- COLLEGES AND PREPARATORY SCHOOLS, ASSOCIATION OF, 5: 626-8.
- COLLIER, JOHN. City Planning and the Problem of Recreation, 51: 208-15.
- Cologne, 8: 596; 13: 19; 27: 44; 50: 159.
- Colombia, 54: 11, 88-9.
- COLOMBIA, CONSTITUTION OF THE REPUBLIC OF, 3: Sup. J., '93.
- COLOMBIA, TREATY RELATIONS OF THE UNITED STATES AND, 22: 115-26.
- Colonial finances, France, 19: 329.
- government, 1: 544, 547, 549, 552.
- COLONIAL AUTONOMY, 19: 392-407.
- COLONIAL FEE-SYSTEM, RELATION OF THE, TO POLITICAL LIBERTY, 12: 58-68.
- COLONIAL GOVERNMENT, COLONIES AND, 17: 173-80, 384, 558-61; 22: 402-12.
- COLONIAL GOVERNMENT, SOME DIFFICULTIES IN, ENCOUNTERED BY GREAT BRITAIN, AND HOW THEY HAVE BEEN MET, 30: 16-23.
- COLONIAL POLICY, AMERICAN, AND ADMINISTRATION, 30: J., '07.
- COLONIAL POLICY, THE DEVELOPMENT OF A, FOR THE UNITED STATES, 30: 3-15.
- Colonies: 1: 529-57; 12: 58; 17: 173, 381, 558, 560-1; 18: 383, 568; 19: 160, 326, 519; 20: 466, 657; 21: 132, 338, 507; 22: 402; 23: 188, 402, 572-5; 24: 424-30; Cuba, 17:



- 559-60; English and Dutch, **21**: 135-51; German, **17**: 558; **20**: 469-71; Philippines, **17**: 558-9.
- COLONIES, CONDITIONS AFFECTING THE SUFFRAGE IN, **19**: 408-31.
- COLONIZATION, IS TROPICAL, JUSTIFIABLE, **19**: 331-9.
- Colorado: **56**: 83; **58**: 224; civil service, **47**: 101; commission government, **38**: 742; convict labor, **46**: 58, 59; employment, **59**: 168-9; honor system, **46**: 86; initiative, **43**: 86, 104; judicial review, **53**: 56; labor legislation, **44**: 105; lease system, **46**: 60; minimum wage, **48**: 49; **56**: 132; prohibition, **56**: 148; referendum, **43**: 86, 104; representation, **16**: 244; suffrage, **18**: 552; tax commission, **58**: 121, 123; woman suffrage, **18**: 552; **35**: Sup. M., '10, 8, 18-19; women, **56**: 93.
- Springs: commission government, **38**: 862; liquor, **24**: 408.
- Colored Graduate Nurses National Association, **49**: 135.
- COLORED POPULATION IN LARGE CITIES, **7**: 516.
- COLUMBIA PARK BOY'S CLUB, THE, A UNIQUE PLAYGROUND, **35**: 436-40.
- Columbia River, **4**: Sup. S., '93; **45**: 61.
- COLUMBIA RIVER IMPROVEMENT AND THE PACIFIC NORTHWEST, **31**: 189-202.
- Columbia University, place of political and social science in, **10**: 381.
- Columbus: civil service, **17**: 143; markets, **50**: 139-52; rates, **57**: 80-1; social settlement, **19**: 505-8; **57**: 80-1.
- COLUMBUS ATTEMPT TO SECURE THREE-CENT FARES, THE, **18**: 479-84.
- COLUMBUS, GEORGIA, THE SECONDARY INDUSTRIAL SCHOOL OF, **33**: 42-9.
- Columbus, Christopher, **2**: 882.
- COMBINATION FAMILY BASKET, THE, **50**: 171-4.
- Combinations: **16**: 345-403; **42**: 128, 132, 159, 174-5, 182-201; **44**: 23; competition, **16**: 351; exports, **63**: 68; industrial, **42**: 140-6; regulation, **32**: 240; statutes, **55**: 37-44.
- COMBINATIONS, THE ADMINISTRATION'S THEORY OF A CONSTRUCTIVE POLICY CONCERNING, **42**: 273-83.
- COMBINATIONS, THE BENEFITS OF INDUSTRIAL, **42**: 119-24.
- COMBINATIONS, CONTRIBUTION OF INDUSTRIAL, TO NATIONAL WELFARE, **42**: 134-9.
- COMBINATION, INDUSTRIAL COMPETITION AND, Vol. **42**.
- COMBINATIONS, BENEFICIAL EFFECTS OF INDUSTRIAL, IN LABOR CONDITIONS, **42**: 20-4.
- COMBINATIONS, PUBLICITY IN AFFAIRS OF INDUSTRIAL, **42**: 140-8.
- COMBINATIONS, HARMFUL EFFECTS OF INDUSTRIAL, ON LABOR CONDITIONS, **42**: 3-9.
- COMBINATIONS, POLICIES OF GERMANY, ENGLAND, CANADA AND THE UNITED STATES TOWARDS, **42**: 183-201.
- COMBINATION WITHOUT REGULATION, NO, **32**: 240-60.
- COMBINATIONS, THE RELATION OF TRUST COMPANIES TO INDUSTRIAL, AS ILLUSTRATED BY THE UNITED STATES SHIPBUILDING COMPANY, **24**: 239-70.
- Combines Investigation Act, **42**: 198.
- COMEY, ARTHUR COLEMAN. Copartnership for Housing in America, **51**: 140-7.
- Commerce: **4**: Sup. S., '93, 38, 42-7; **7**: 42; **14**: 148; **15**: 81-7; **18**: 446-68; **39**: 157; **42**: 106; **57**: 20; **59**: 226-35, 325; **60**: 1-3, 11; **61**: 243; **63**: 133, 192; China, **39**: 167; competition, **42**: 63; Federal Reserve Act, **59**: 303-4; Latin America, **37**: 738-42; **54**: 300; Manchuria, **39**: 154-68; Panama Canal, **59**: 327; regulation, **1**: 195; South America, **61**: 79. See Trade.
- COMMERCE. AMERICAN SYSTEM OF IMPROVING AND ADMINISTERING COMMERCIAL FACILITIES, **24**: 489-506.
- COMMERCE, ARGENTINE, WITH UNITED STATES AND EUROPE, **22**: 171-6.
- COMMERCE WITH SOUTH AMERICA, **37**: 648-62.
- COMMERCE. THE BRITISH SYSTEM OF IMPROVING AND ADMINISTERING PORTS AND TERMINAL FACILITIES, **24**: 507-24.
- COMMERCE, THE POSSIBILITY OF COMPETITION IN, AND INDUSTRY, **42**: 63-6.
- COMMERCE. COMMERCIAL RELATIONS OF THE UNITED STATES WITH CANADA, **32**: 330-42.
- COMMERCE, THE FREE PORT AN AGENCY FOR THE DEVELOPMENT OF AMERICAN, **59**: 236-44.
- COMMERCE, RELATION OF THE GOVERNMENT IN GERMANY TO THE PROMOTION OF, **24**: 525-39.
- COMMERCE, REGULATION OF FOREIGN, BY THE INTERSTATE COMMERCE COMMISSION, **32**: 157-81.
- COMMERCE, INDUSTRY AND, **17**: 385-96, 562-9.
- COMMERCE. "THE INTERNATIONAL COMMERCIAL CONGRESS," **15**: 81-7.
- COMMERCE, FEDERAL CONTROL OF INTERSTATE, **26**: 642-55.
- COMMERCE, CONTROL OF CORPORATIONS, PERSONS AND FIRMS ENGAGED IN INTERSTATE, **42**: 310-30.
- COMMERCE AND TRANSPORTATION, **19**: J., '02.
- COMMERCIAL BORROWING, THE INFLUENCE OF THE FEDERAL RESERVE ACT UPON, **59**: 226-35.
- Commercial education, see Education.
- COMMERCIAL EVOLUTION, THE WATERWAYS AND, **59**: 259-82.
- COMMERCIAL FACILITIES, THE AMERICAN SYSTEM OF IMPROVING AND ADMINISTERING, **24**: 489-506.
- COMMERCIAL FOREIGN POLICIES, **13**: Sup. M., '99.
- Commercial institutes, **33**: 151-4.
- COMMERCIAL INTERESTS IN MANCHURIA, AMERICAN, **39**: 154-68.
- COMMERCIAL ISOLATION VERSUS INTERNATIONAL TRADE, **61**: 60-5.
- Commercial law, **5**: 851.
- COMMERCIAL ORGANIZATION, INSURANCE AND, **24**: N., '04.
- Commercial paper: Boston, **59**: 228-9; definition, **59**: 229-30; Federal Reserve Act, **59**: 226-7, 230-2, **63**: 105-6; Federal Reserve Board, **63**: 120-1; New York, **59**: 229; Philadelphia, **59**: 229; Seattle, **59**: 229.



- COMMERCIAL PAPER AND THE FEDERAL RESERVE BOARD, **63**: 105-21.
- COMMERCIAL POLICY, INDUSTRIAL CAUSES AFFECTING AMERICAN, SINCE CIVIL WAR, **23**: 43-54.
- Commercial relations, Central and South America, **61**: 67-9.
- COMMERCIAL RELATIONS OF CHILE, **37**: 731-7.
- COMMERCIAL RELATIONS OF THE UNITED STATES WITH CANADA, **32**: 330-42.
- COMMERCIAL RELATIONS OF THE UNITED STATES WITH THE FAR EAST, **13**: Sup. M., '99, 107-60.
- COMMERCIAL RELATIONS BETWEEN THE UNITED STATES AND JAPAN, **36**: Sup. Jy., '10.
- COMMERCIAL RELATIONS OF THE UNITED STATES WITH LATIN AMERICA, **22**: 149-88.
- COMMERCIAL RELATIONS, CLOSER, WITH LATIN-AMERICA, **37**: 738-42. *See* Latin-America.
- Commercial schools, *see* Education, Schools.
- Commission government: **4**: 218; **18**: 434-45; **38**: 7-26, 773-8, 816-22, 932; **41**: 14, 19, 102, 205, 218-32, 281; **57**: 50, 52, 175; **59**: 212-18; advantages, **57**: 175; Berkeley, **5**: 65; civil service, **38**: 809, 812; defects, **38**: 862-70; Des Moines, **38**: 698-718; Emporia, Kansas, **38**: 922; Galveston, **38**: 891-900; Huntington, West Virginia, **57**: 50; initiative and referendum, **38**: 823-32; Joplin, **38**: 846; Maine, **53**: 6, 20, 57; **55**: 143; Pennsylvania, **57**: 175; recall, **38**: 872; **43**: 217; referendum, **38**: 823-32; short ballot, **38**: 821; South, **38**: 682-97; Texas, **38**: 740; Utah, **38**: 745; Washington, **38**: 745; Wisconsin, **38**: 730; Wyoming, **38**: 741.
- Commission, THE, AS IT OPERATES IN AUSTIN, TEXAS, **38**: 906-7.
- Commission, WHAT GOVERNMENT BY, HAS ACCOMPLISHED IN DES MOINES, **38**: 908-16.
- Commission CHARTERS AND STATUTES, FRANCHISE PROVISIONS IN, **38**: 783-97.
- Commission CHARTERS, CIVIL SERVICE PROVISIONS IN, **38**: 808-15.
- Commission CITIES, THE INITIATIVE AND REFERENDUM IN, **38**: 823-32.
- Commission-GOVERNED CITIES, BUDGET PROVISIONS IN, **38**: 798-807.
- Commission GOVERNMENT IN AMERICAN CITIES, **38**: N., '11.
- Commission GOVERNMENT, ACCOMPLISHMENTS AND DEFICIENCIES.<sup>1</sup>
- Commission GOVERNMENT AS IT OPERATES IN AUSTIN, TEXAS, **38**: 906-7. *See* Austin.
- Commission GOVERNMENT. BERKELEY, CALIFORNIA, UNDER COMMISSION FORM OF GOVERNMENT, **38**: 935-43. *See* Berkeley.
- Commission GOVERNMENT. BIRMINGHAM UNDER THE COMMISSION PLAN, **38**: 929-34. *See* Birmingham.
- Commission GOVERNMENT, SOME DEFECTS OF, **38**: 862-70.
- Commission GOVERNMENT. DEFECTS AND LIMITATIONS OF THE COMMISSION PLAN, **38**: 871-6.
- Commission GOVERNMENT. RESULTS OF, IN EMPORIA, KANSAS, **38**: 922-4.
- Commission GOVERNMENT. GALVESTON'S COMMISSION PLAN OF CITY GOVERNMENT, **38**: 891-900. *See* Galveston.
- Commission GOVERNMENT. GRAND JUNCTION PLAN OF CITY GOVERNMENT AND ITS RESULTS, **38**: 757-72. *See* Grand Junction.
- Commission GOVERNMENT, HISTORY AND UNDERLYING PRINCIPLES OF, **38**: 673-81.
- Commission GOVERNMENT, RESULTS OF, IN HOUSTON, TEXAS, **38**: 901-5. *See* Houston.
- Commission GOVERNMENT, RESULTS OF, IN HUNTINGTON, WEST VIRGINIA, **38**: 925-8.
- Commission GOVERNMENT IN ILLINOIS CITIES, **38**: 748-56.
- Commission GOVERNMENT IN IOWA: THE DES MOINES PLAN, **38**: 698-718.
- Commission GOVERNMENT, RESULTS OF, IN KANSAS CITY, KANSAS, **38**: 917-21. *See* Kansas City.
- Commission GOVERNMENT IN KANSAS, **38**: 719-25.
- Commission GOVERNMENT, THE LOCKPORT PROPOSAL, **38**: 884-7. *See* Lockport.
- Commission GOVERNMENT, OBJECTIONS TO, **38**: 853-61.
- Commission GOVERNMENT IN THE SOUTH, **38**: 682-97.
- Commission GOVERNMENT IN THE WEST, **38**: 726-47.
- Commission GOVERNMENT. COMMISSION MOVEMENT IN MISSOURI, THE, **38**: 839-49.
- Commission GOVERNMENT. COMMISSION PLAN, BIRMINGHAM, ALABAMA, UNDER THE, **38**: 929-34.
- Commission GOVERNMENT. COMMISSION PLAN OF CITY GOVERNMENT, GALVESTON'S, **38**: 891-900.
- Commission GOVERNMENT. COMMISSION PLAN, DEFECTS AND LIMITATIONS OF THE, **38**: 871-6.
- Commission GOVERNMENT. COMMISSION PLAN, SECURING EFFICIENT ADMINISTRATION UNDER THE, **41**: 218-32.
- Commission GOVERNMENT. COMMISSION PLAN, THE SHORT BALLOT AND THE, **38**: 816-22.
- Commission MEN, RELATION OF JOBBERS AND, TO THE HANDLING OF PRODUCE, **50**: 57-68.
- Commission merchants: **48**: 208; **50**: 25, 57, 59, 60, 68, 147, 167; car-lot markets, **50**: 2; direct shipments, **50**: 68; license, **48**: 46; licensing, **50**: 68; Minnesota, **48**: 208; retail markets, **50**: 147; Washington, **48**: 208.
- Commissions: **4**: Sup. S., '93, 48; **53**: 3, 7-18, 42-3, 54-5, 57-8, 57, 178; **57**: 8-9, 57, 68, 122; accounts, **53**: 17; certificates of convenience and necessity by, **53**: 11; competition, **53**: 41; extensions and street railways, **53**: 50; facilities, **53**: 17; Georgia, **53**: 58; rates, **53**: 15-16, 51; valuation, **53**: 14. *See* Public service commissions, Railroad commissions, Valuation.
- Commission CONTROL, METHODS OF JUDICIAL REVIEW IN RELATION TO THE EFFECTIVENESS OF, **53**: 54-65.
- COMMISSIONS, THE PUBLIC SERVICE, OF THE STATE OF NEW YORK, **31**: 649-58.

<sup>1</sup> *See* footnote, p. 27.

- COMMISSION REGULATION OF PUBLIC UTILITIES: A SURVEY OF LEGISLATION, **53**: 1-18.
- Commissioners: **53**: 5, 32; **57**: 90-1; compensation, **53**: 5; qualifications, **53**: 6, 7, 19-35, 96; **57**: 237; recall, **53**: 109; salaries, **53**: 31-2, 109; South Carolina, **53**: 7; term of office, **53**: 30-1; Wisconsin, **53**: 97.
- COMMISSIONERS, QUALIFICATIONS NEEDED FOR PUBLIC UTILITY, **53**: 19-35.
- Commodities, **50**: 11, 49, 51, 55; **63**: 214.
- COMMODITY PRICES, FACTORS AFFECTING, **38**: 473-506.
- Common carriers, **53**: 17; **63**: 212-13.
- COMMONS, JOHN R. Bullion Notes and an Elastic Currency, **4**: 299-301; Proportional Representation, **2**: 700-7; State Supervision for Cities, **5**: 865-81; Tariff Revision and Protection for American Labor, **32**: 315-20.
- Communism, **4**: Sup. Mch., '94, 67, 90, 93; **44**: Sup. N., '12, 27.
- Communist Manifesto, **4**: Sup. Mch., '94, 81, 90.
- Communities, **51**: 93, 217, 237; **57**: 18, 244.
- COMMUNITIES, IMMIGRANT RURAL, **40**: 69-80. *See* Immigrants.
- COMMUNITY, THE COUNTY, AND ITS GOVERNMENT, **47**: 14-25.
- COMMUNITY, THE RURAL NEGRO, **40**: 81-9. *See* Negro Community.
- COMMUNITY. VILLAGE PROBLEMS AND CHARACTERISTICS, **40**: 234-43. *See* Village Problems.
- Compassman, **41**: Sup. M., '12, 19.
- Compensation, *see* Workmen's Compensation.
- COMPENSATION, ATTITUDE OF FOREIGN COUNTRIES TOWARD LIABILITY AND, **38**: 241-5.
- COMPENSATION. DISABILITY AND DEATH COMPENSATION FOR RAILROAD EMPLOYEES, **38**: 45-56. *See* Railroad.
- COMPENSATION LAW, NEW JERSEY EMPLOYERS' LIABILITY AND WORKMEN'S. *See* New Jersey, **38**: 218-24.
- COMPENSATION LAW AND PRIVATE JUSTICE, **A**, **38**: 151-8.
- Competition: **3**: 41; **4**: Sup. Mch., '94, 49, 80-1, 84; **11**: 331; **15**: 41-50; **16**: 351; **29**: 260; **31**: 649; **32**: 97-101; **42**: 7, 63-7, 69, 83, 89, 90, 92-3, 103-16, 126, 150-1, 159-60, 172, 174, 176, 206, 211-12, 222, 224, 230, 234, 242-3, 266, 280, 301, 303, 308, 311, 318, 324, 329; **43**: 104; **44**: 24, 41; **44**: Sup. N., '12, 23, 44, 54-5, 72; **48**: 211-12; **52**: 79-80, 221; **53**: 11, 41-2, 45-6, 143, 294; **55**: 1-16, 37, 74, 94-104, 128, 144-54, 186, 252-5; **57**: 81, 96, 101, 123, 180, 282; **59**: 79-80, 150, 215; **60**: 3-5, 43-4, 46-7, 49-50, 143-4; **63**: 2-8, 25, 28-9, 37-42, 47, 49-52, 57-9, 61-4, 79, 85, 90-100; Arizona, **53**: 143; California, **53**: 295; Canada, **42**: 196-8; Chinese, **34**: 340-50; domestic carriers, **55**: 252; domestic trade, **55**: 94-7; electric lighting, **21**: 486-7; England, **42**: 192, 195; Europe, **42**: 75; Federal Trade Commission, **63**: 25; foreign, **4**: Sup. S., '93, 151-2; **29**: 516; **42**: 162-3, 167, 179; **60**: 43-4, 49-50; Great Lakes, **55**: 97; holding companies, **57**: 316; international, **40**: 23; Japanese, **34**: 267, 294-9; labor, **59**: 150; lumber, **42**: 268; New Hampshire, **53**: 143; New Jersey, **53**: 143; New York, New Haven & Hartford Railroad Co., **63**: 200-1; Pennsylvania, **53**: 45; Porto Rico, **55**: 54; ports, **55**: 54; price cutting, **50**: 78, 81, 225; railroads, **57**: 107; railways, **8**: 131, 136, 139; **11**: 331; **63**: 162; rates, **55**: 2; **57**: 88; **63**: 162; retail stores, **15**: Sup. M., '00, 131; **50**: 75, 248; Rhode Island, **53**: 143; Sherman law, **63**: 8-11, 28-9, 37-8, 45-7; shipping, **55**: 191; unfair, **42**: 83, 179, 185, 232, 277; **63**: 3-8, 25, 37-54; Vermont, **53**: 143; water, **55**: 37, 232-5, 252; **59**: 272-4; Wisconsin, **53**: 107. *See* Sherman Law, Trusts, Anti-Trust Legislation.
- COMPETITION AND COMBINATION, INDUSTRIAL, Vol. **42**.
- COMPETITION VERSUS COÖPERATION IN THE STEAMSHIP BUSINESS: PROPOSED LEGISLATION, **55**: 1-16.
- COMPETITION, METHODS OF CONTROLLING, BETWEEN DOMESTIC CARRIERS BY WATER, **55**: 252-4.
- COMPETITION BY MONOPOLISTIC CORPORATIONS, UNFAIR, **42**: 67-73.
- COMPETITION AS A SAFEGUARD TO NATIONAL WELFARE, **42**: 74-82.
- COMPETITION ON THE PACIFIC COAST, CHINESE LABOR, **34**: 340-50.
- COMPETITION, THE POSSIBILITY OF, IN COMMERCE AND INDUSTRY, **42**: 63-6.
- COMPETITION, PROTECTION, EXPANSION AND INTERNATIONAL, **23**: 26-42.
- COMPETITION, UNFAIR METHODS OF, AND THEIR PREVENTION, **63**: 37-54.
- COMPETITION, UNREGULATED, IS DESTRUCTIVE OF NATIONAL WELFARE, **42**: 108-18.
- COMPETITION: THE SAFEGUARD AND PROMOTER OF GENERAL WELFARE, **42**: 89-97.
- Compulsory arbitration, *see* Arbitration.
- insurance, *see* Insurance.
- voting, *see* Voting.
- COMTE, A NEGLECTED CHAPTER IN THE LIFE OF, **8**: 491-508. *See also* **4**: Sup. Mch., '94, 75-6, 100; **44**: Sup. N., '12, 21.
- CONANT, CHARLES A. The Currency of the Philippine Islands, **20**: 518-33; The Law of the Value of Money, **16**: 189-211; Securities as a Means of Payment, **14**: 181-203; The Way to Attain and Maintain Monetary Reform in Latin-America, **37**: 618-27.
- CONANT, RICHARD K. Massachusetts Child Labor Committee, **33**: Sup. Mch., '09, 182; Massachusetts State Child Labor Committee, **35**: Sup. Mch., '10, 170-4; Massachusetts State Child Labor Committee, **38**: Sup. Jy., '11, 167-70; Street Trades and Reformatories, **38**: Sup. Jy., '11, 105-7.
- Conciliation, **29**: Sup. Mch., '07, 40; **44**: 1-3, 8, 22, 74. *See* Arbitration.
- CONCILIATION, THE ANTHRACITE BOARD OF, **36**: 366-72.
- CONCRETE SCIENCES, RELATION OF ABSTRACT TO, **5**: 942-7.
- Conferences: **17**: 376-7, 546, 551-4; **19**: 308-9, 517-18; **55**: 48-94, 168-70, 194-204.
- CONFERENCES, AGREEMENTS AND, IN THEIR RELATION TO OCEAN RATES, **55**: 194-204.

- CONFERENCES AND AGREEMENTS, THE ADMINISTRATION AND ENFORCEMENT OF STEAMSHIP, **55**: 112-43.
- CONFERENCES, ORIGIN AND GROWTH OF RURAL, **40**: 110-16.
- CONFLICTS, THE "MUTUAL GOVERNMENT" OR "JOINT COMMISSION" PLAN OF PREVENTING INDUSTRIAL, **27**: 531-42.
- Congestion: **23**: 317; **41**: 186-7; **51**: 54-5, 59, 65-7, 157, 234.
- CONGESTION AND RENTS, **51**: 59-67.
- Congress, **1**: 195, 211-21; **2**: 289; **15**: 133; **16**: 411; **19**: 266; **42**: 314; **62**: 9.
- CONGRESS, POSITION OF THE AMERICAN REPRESENTATIVE IN, **6**: 117-23.
- CONGRESS SHOULD ADOPT FOR IMPROVEMENT OF AMERICAN WATERWAYS, LEGISLATIVE PROGRAM, **31**: 36-47.
- CONGRESS AND THE CABINET, **2**: 289-99.
- CONGRESS AND THE CABINET—II, **4**: 404-24.
- CONGRESS OF THE LEARNED SOCIETIES OF PARIS, THE, **2**: 284-8.
- CONGRESS, PROPORTIONAL REPRESENTATION, **4**: 448-53.
- CONGRESSIONAL LEGISLATION, THE SCOPE AND LIMITS OF, AGAINST THE TRUSTS, **24**: 111-22.
- Connecticut: **1**: 165-91, 550; **6**: 218, 262; **15**: 204-35; **22**: 540-1; **29**: Sup. Meh., '07, 8, 43, 77-8, 80-2; **47**: 21, 28; **53**: 58, 61, 143; **56**: 83; constitution, **1**: 179, 183, 550; Massachusetts, **1**: 173; reformatories, **22**: 540; tax commission, **58**: 121, 124; women's clubs, **56**: 83.
- CONNECTICUT TOWNS, THE ORIGIN OF, **1**: 165-91.
- CONNELL, WILLIAM H. Standardization of Specifications for Public Works, **41**: 127-37.
- CONNER, JACOB ELON. Industrial Causes Affecting American Commercial Policy Since Civil War, **23**: 43-54.
- Conrad, J., **4**: Sup. Meh., '94, 117.
- Conring, Herm., **1**: Sup. Meh., '91, 21-2.
- Conservation: **33**: 631-46, 699, 710; **50**: 45; **61**: 10, 209-10, 215; forests, **59**: 18; minerals, **33**: 686.
- CONSERVATION OF CHILDHOOD, THE, **38**: Sup. Jy., '11, 8-16.
- CONSERVATION, SOME ASPECTS OF FOOD, BY REFRIGERATION, **50**: 44-7.
- CONSERVATION, FOREST RESOURCES AND, **35**: 67-76.
- CONSERVATION, THE PRODUCTION AND WASTE OF MINERAL RESOURCES AND THEIR BEARING ON, **33**: 686-98.
- CONSERVATION OF NATURAL RESOURCES, **33**: M., '09.
- CONSERVATION, WHOLESALE TERMINAL MARKETS IN GERMANY AND THEIR EFFECT ON FOOD COSTS AND, **50**: 153-65.
- Consédrant, Victor, **4**: Sup. Meh., '94, 77-8.
- CONSTABULARY, LOCAL VS. STATE, **17**: 100-1.
- Constitutional amendment: **14**: 344-8; **43**: 311; **52**: 16-18, 21, 23, 30-5; Cincinnati, **22**: 383-4; Maine, **43**: 162; Wisconsin, **43**: 107.
- CONSTITUTIONAL AMENDMENT, EXECUTIVE POWER AND, **14**: 344-8.
- CONSTITUTIONAL AMENDMENT, A NEW METHOD OF, BY POPULAR VOTE, **43**: 311-26.
- Constitutional Convention: Alabama, **19**: 143; New York, **4**: 885-903; Virginia, **20**: 644-5.
- Constitutional government, **39**: 29; **43**: 239; **54**: 225.
- CONSTITUTIONAL HISTORY OF THE UNITED STATES, WHAT IS A, **19**: 259-65.
- CONSTITUTIONAL LAW. THE SOURCES OF AMERICAN FEDERALISM, **6**: 197-226.
- CONSTITUTIONAL LIMITATIONS RELATING TO CITIES AND THEIR AFFAIRS, **27**: 232-3.
- CONSTITUTIONAL POSITION OF THE GERMAN EMPEROR, THE, **14**: 73-93.
- Constitutions: **2**: 158, 162, 327, 331; **6**: 406; **7**: 391; **9**: 9, 198-211, 380-420; **13**: 215-16; **16**: 406; **29**: Sup. Meh., '07, 1, 2, 5-6, 8, 11, 13-14, 16, 19, 23-4, 31, 34, 50, 62, 83; **43**: 311-25; **52**: 14, 26; California, **13**: 215; Colombia, **3**: Sup. J., '93, 70; Connecticut, **1**: 179; Delaware, **11**: 174; federal, **63**: 192; France, **6**: 1-78; Mexico, **2**: 1-47; Pennsylvania, **4**: Sup. S., '93; **14**: 344; Prussia, **5**: Sup. S., '94, 54; Rhode Island, **1**: 552; **6**: 221; **13**: 214; South Dakota, **2**: 145.
- CONSTITUTIONS OF THE AMERICAN REVOLUTION, STATE, **9**: 380-420.
- CONSTITUTION OF FRANCE, THE DEVELOPMENT OF THE PRESENT, **6**: 1-78.
- CONSTITUTION, THE AMENDMENTS TO THE ITALIAN, **6**: 227-53.
- CONSTITUTIONS, MARRIAGE AND DIVORCE PROVISIONS IN THE STATE, OF THE UNITED STATES, **26**: 745-8.
- CONSTITUTION, SOME ORIGINAL AND PECULIAR FEATURES IN THE NEBRASKA, **15**: 433-7.
- CONSTITUTION, THE INITIATIVE AND REFERENDUM AMENDMENTS IN THE PROPOSED OHIO CONSTITUTION, **43**: 191-202.
- CONSTITUTIONS, OUR STATE, **29**: Sup. Meh., '07.
- CONSTITUTIONS, THE FIRST STATE, **4**: 201-32.
- CONSTITUTION, ORIGINAL AND DERIVED FEATURES OF THE, OF THE UNITED STATES, **1**: 203-43.
- CONSTITUTION, RECENT MAKING IN THE UNITED STATES, **2**: 145-201.
- CONSTITUTION, GENESIS OF A WRITTEN, **1**: 529-57.
- Constitutionalists, **54**: 152, 170, 172.
- CONSTITUTIONALIST PARTY IN MEXICO: WHAT IT IS FIGHTING FOR, THE, **54**: 166-74.
- Constructive peace, *see* Peace.
- Consular service, **29**: 449; **54**: 286.
- CONSUMER, RELATION OF COLD STORAGE TO THE FOOD SUPPLY AND THE, **48**: 154-63.
- Consumers, **15**: Sup. M., '00, 129; **48**: 203, 213; **50**: 64, 83, 100-1, 257. *See* Coöperation.
- Consumers' coöperation, *see* Coöperation.
- CONSUMERS' COÖPERATIVE MOVEMENT IN CHICAGO, THE, **50**: 223-8.
- Consumers' League, **10**: 302; **11**: 435; **29**: 168-76; **32**: Sup. Jy., '08, 131; **34**: Sup. Jy., '09, 28-30, 32, 51-2; **36**: Sup. S., '10, 29-31, 43-4; **38**: Sup. S., '11, 23-9, 39-42, 44, 151-2; **41**: 262; **56**: 57-8, 64-6, 69.
- CONSUMERS' LEAGUE, BIBLIOGRAPHY ON, **38**: Sup. S., '11.

- CONSUMERS' LEAGUE, DIRECTORY OF, **38**: Sup. S., '11, 58-76.
- CONSUMERS' LEAGUE, WORK OF THE NATIONAL, **36**: Sup. S., '10.
- CONSUMERS' LEAGUE, WORK OF THE NATIONAL, **38**: Sup. S., '11.
- CONSUMERS' LEAGUES, REPORTS FROM STATE AND LOCAL CHILD LABOR COMMITTEES AND, **29**: 142-83.
- CONSUMERS' SURPLUS, **3**: 618-21. *See also* 729.
- Consumption, **3**: 30-44, 129-49; **10**: 51; **12**: 340; **13**: 60; **44**: Sup. N., '12, 5; **48**: 149; **50**: 3, 52, 256. *See* Disease, Tuberculosis.
- Continuation schools, *see* Schools.
- Contraband, **60**: 155, 171, 218-19. *See* Ammunition, Belligerents, Neutrality.
- CONTRABAND OF WAR, ARE FOODSTUFFS? **56**: 161-71.
- Contract labor; **42**: 54; **46**: 5, 11, 23, 25, 123-4, 138, 154; **56**: 67. *See* Convict labor, Prisons.
- CONTRACT SYSTEM, WHY I COULD NOT PARDON THE, **46**: 22-30.
- CONTRACTOR, RELATION OF THE, OR SPECULATOR TO THE WORLD'S OCEAN TRANSPORTATION PROBLEM, **55**: 232-6.
- Contracts; **29**: Sup. Mch., '07, 15; **41**: Sup. M., '12, 34; **53**: 144; Chicago, **41**: 285-97; insurance, **26**: 209, 453; **59**: Sup. M., '15; steamship companies, **55**: 180-4.
- CONTRACTS BETWEEN STEAMSHIP LINES AND SHIPPERS, **55**: 168-84.
- CONTROL OF MUNICIPAL PUBLIC SERVICE CORPORATIONS, **31**: M., '08.
- CONVENTIONALITY, FEMINISM AND, **56**: 47-53.
- Conventions; **29**: Sup. Mch., '07, 5, 6, 9, 18-19, 26, 35-6, 42, 47, 55, 87, 89; **43**: 3, 4, 8-10.
- CONVERSE, JOHN H. Higher Education for Business Pursuits and Manufacturing, **28**: 115-23.
- CONVERSE, JOHN W. Some Features of the Labor System and Management at the Baldwin Locomotive Works, **21**: 1-9.
- Convict labor; **14**: 103; **17**: 369-70; **46**: 1, 6, 8, 10, 14, 18, 47-8, 62, 78-87, 119, 158; Alabama, **46**: 12; Arizona, **46**: 58; Arkansas, **46**: 88; Colorado, **46**: 58-9; colored, **21**: 327-8; Europe, **46**: 18, 95; farms, **46**: 81, 92; foreigners, **12**: 168; highways, **46**: 78; Iowa, **46**: 123; Michigan, **46**: 20, 90; mines, **46**: 80; Missouri, **46**: 11; negroes, **6**: 13-25; New Mexico, **46**: 58; Oregon, **46**: 50; public works, **12**: 168; railways, **46**: 81; roads, **46**: 15, 41, 79, 83-5, 88, 90-1, 107; Tennessee, **46**: 80; Texas, **21**: 146, 426-37; Utah, **46**: 58; Wyoming, **47**: 58.
- lease system: negroes, **49**: 134; South, **49**: 77. *See* Contract labor, Prisons.
- CONVICTS, OUTDOOR WORK FOR, **46**: 88-9.
- CONVICT LABOR IN HIGHWAY CONSTRUCTION, **46**: 78-87.
- CONVICT LABOR SYSTEM OF TEXAS, **21**: 426-37.
- CONWAY, THOMAS, JR. The Electrification of American Railroads, **29**: 266-74; The Influence of the Federal Reserve Act upon Commercial Borrowing, **59**: 226-35; Street Railways in Philadelphia, since 1900, **24**: 354-60; The Decreasing Financial Returns upon Urban Street Railway Properties, **37**: 14-30.
- COOK, WALDO LINCOLN. Present Political Tendencies, **18**: 189-225.
- Cook County, Illinois, **41**: 281; **47**: 19, 97, 108.
- COOKE, F. H. Economic and Uneconomic Anti-Trust Legislation, **5**: 569-73.
- COOKE, MORRIS LLEWELLYN. Casual and Chronic Unemployment, **59**: 194-9; Scientific Management as a Solution of the Unemployment Problem, **61**: 146-64.
- COOLEY, C. H. Genius, Fame, and the Comparison of Races, **9**: 317-58.
- COOLEY, HARRIS R. Good Opportunities for Prison Labor, **46**: 92-6.
- COOLEY, SROUGHTON. The Proportional Representation Congress, **4**: 448-53.
- COOLIDGE, MARY ROBERTS. Chinese Labor Competition on the Pacific Coast, **34**: 340-50.
- COON, CHARLES L. Child Labor. The Dinner Toter, **38**: Sup. Jy., '11, 85-9; North Carolina Child Labor Committee, **35**: Sup. Mch., '10, 181; North Carolina Child Labor Committee, **38**: Sup. Jy., '11, 176-7.
- Cooper Union Labor Bureau, **7**: 168.
- COOPER, WALTER G. Objections to Commission Government, **38**: 853-61.
- Coöperation: **2**: 698; **3**: 342-3; **4**: 790-8; **4**: Sup. Mch., '94, 77, 98; **14**: 393; **41**: 20; **44**: 33, 60; **44**: Sup. N., '12, 22; **46**: 173; **48**: 144, 152, 186, 211, 227; **50**: 7, 74, 205-7, 216-27, 229-30, 233, 237-8, 255-7; **55**: 1-16, 146, 160-1; **57**: 29, 33, 43, 49; **59**: 202-11, 317; **61**: 41-2, 107, 215; **63**: 69-71, 73, 77, 79, 183; agricultural, **40**: 58-68; banking, **63**: 91; Berlin, **3**: 76; Chicago, **50**: 223-8; cold storage, **50**: 234; competition, **55**: 1-16; **63**: 2, 72-9; consumers, **50**: 108, 223-8, 230, 232; Denmark, **48**: 235; England, **9**: 311; **48**: 235; **50**: 235-6; Europe, **48**: 212; **50**: 255; **61**: 74-5; exports, **60**: 39-51; **63**: 68; farmers, **4**: 794-5; **40**: 58-68; **48**: 214, 229-30, 237; **50**: 2, 204, 221; farms, **44**: Sup. N., '12, **50**: 207; Federal Trade Commission, **63**: 81-2; foreign countries, **46**: 172; foreign trade, **60**: 42-3; **61**: 76; France, **51**: 6; Germany, **46**: 172; **59**: 330; **63**: 284; grain, **50**: 203; Great Britain, **50**: 233-5; Illinois, **50**: 203, 205; India, **46**: 173; international, **63**: 141; Ireland, **48**: 235; Italy, **3**: 389; **46**: 173; labor statistics, bureau of, **63**: 263; Massachusetts, **53**: 181-255; municipal markets, **48**: 152; New England, **4**: 798-805; railroads, **63**: 185; recreation, **62**: 141; scientific agriculture, **50**: 209, 210; scientific management, **61**: 215; unemployment, **61**: 28; wholesale markets, **50**: 108.
- "COÖPERATION" AND THE ANTI-TRUST LAWS, **63**: 69-83.
- COÖPERATION, COMPETITION VERSUS, IN THE STEAMSHIP BUSINESS: PROPOSED LEGISLATION, **55**: 1-16.
- COÖPERATION IN EXPORT TRADE, **60**: 39-51.
- COÖPERATION OF LABOR AND CAPITAL, **20**: 45-58.
- COÖPERATION AS A MEANS OF REDUCING THE COST OF LIVING, **48**: 225-37.
- COÖPERATIVE LAMB CLUB AS AN AGENCY FOR LOWER MARKETING COSTS, THE, **50**: 216-22.



- COÖPERATIVE MOVEMENT, THE CONSUMERS', IN CHICAGO, 50: 223-8.
- COÖPERATIVE MOVEMENTS AMONG FARMERS, 40: 58-68.
- COÖPERATIVE PIONEERING AND GUARANTEEING IN THE FOREIGN TRADE, 59: 321-32.
- COÖPERATIVE SOCIETIES, WHAT THEY MAY ACCOMPLISH IN LOWERING FOOD DISTRIBUTION COSTS, 50: 229-39.
- COORDINATING MUNICIPAL, STATE AND NATIONAL ACTIVITIES, THE NEED FOR, 41: 23-39.
- Copper, 14: 331; 59: 22-3.
- Copyrights, 30: Sup. S., '07, 80.
- COREA, LUIS F. The Relations of Central and South America with the United States as Affected by the European War, 61: 66-70.
- CORNELL, WALTER S. The Physical Care of Children, 37: 487-93.
- CORNWELL, WILLIAM C. Bonds as Additional Banking Reserve, 30: 292-311.
- Coroner, 47: 7, 24, 35, 68.
- CORONER'S OFFICE, 47: 112-19.
- CORPORATE CONSTRUCTION AND MANAGEMENT, THE GOVERNMENT'S RELATION TO, 32: 3-29.
- CORPORATE ORGANIZATION, THE PRINCIPLES OF EFFICIENCY APPLIED TO THE FORM OF, 61: 183-6.
- CORPORATE REGULATION—AN ADMINISTRATIVE OFFICE, 42: 284-8.
- CORPORATION REGULATION BY STATE AND NATION, 32: 235-9.
- Corporations: 5: 857; 8: 329; 9: 244; 15: Sup. M., '00, 77; 25: 101-10; 26: 672-3; 29: Sup. M., '07, 56-7, 86; 32: 30-3; 41: Sup. M., '12, 32; 42: 34, 63, 66, 96, 105, 107, 111, 126, 142, 200, 315; 53: 134; 57: 9, 164, 203, 303; 59: 297; 63: 2, 21; Bureau of, 42: 170, 285-8, 293; competition, 42: 67; England, 23: 175-6; Federal Trade Commission, 63: 21-3; foreign, 30: Sup. S., '07, 80; income tax law, 58: 18, 19, 23-4; interstate, 46: 643; lighting, 2: 707; municipal, 53: 41, 45; Ohio, 14: 157-80; public service, 57: 8-182; regulation, 32: 30-3; taxation, 14: 157-80; 19: 165-84; 58: 60; utility, 57: 8, 55, 216-17.
- CORPORATIONS. NO COMBINATION WITHOUT REGULATION, 32: 240-58.
- CORPORATIONS, FEDERAL INCORPORATION OF INTERSTATE, 42: 303-9.
- CORPORATIONS, FEDERAL REGULATION OF, 26: N., '05.
- CORPORATIONS, PERSONS AND FIRMS, CONTROL OF, ENGAGED IN INTERSTATE COMMERCE, 42: 310-30.
- CORPORATIONS, INFLUENCE OF, ON POLITICAL LIFE, 15: Sup. M., '00, 77-106.
- CORPORATIONS, THE PUBLIC REGULATION OF—DISCUSSION OF JUDGE GROSSCUP'S ADDRESS, 32: 30-3.
- CORPORATIONS, A CONSTRUCTIVE POLICY FOR PUBLIC SERVICE, 57: 83-93.
- CORPORATIONS, THE CONTROL OF PUBLIC SERVICE, IN DETROIT, 31: 576-92.
- CORPORATIONS AND PUBLIC WELFARE, 15: Sup. M., '00.
- CORPORATIONS, PUBLICITY OF ACCOUNTS OF INDUSTRIAL, 42: 98-107.
- CORPORATIONS, THE TAXATION OF, IN THE UNITED STATES, 19: 165-84.
- CORPORATIONS, TAXATION OF QUASI-PUBLIC, IN THE STATE OF OHIO AND THE FRANCHISE TAX, 14: 157-80.
- CORPORATIONS, UNFAIR COMPETITION BY MONOPOLISTIC, 42: 67-73.
- Corporative Hülfskassenzwang*, 4: Sup. Mch., '94, 120.
- Correction, 46: 96. See Charities.
- CORRECTIONAL WORK IN MICHIGAN, 23: 472-6.
- Correnti, C., 1: Sup. Mch., '91, 69.
- Corrupt practices: 7: 415; 9: 231; 11: 179; 15: 167; 17: 256; 21: 275-6; 28: 413; 43: 4, 16; Great Britain, 43: 27; Nebraska, 15: 167; Nevada, 15: 167; Ohio, 8: 198; 9: 472; 11: 428; Wisconsin, 11: 179.
- Corruption: 11: 32; business, 28: 153; city government, 41: 281; politics, 29: Sup. Mch., '07, 29, 33, 60, 89.
- CORTELYOU, GEORGE B. Introductory Note, 31: 301; Some Agencies for the Extension of our Domestic and Foreign Trade, 24: 1-12. See also 36: 585.
- CORWINE, WILLIAM R. Reciprocity in our Foreign Trade Relations, 32: 310-14.
- CORYN, SIDNEY G. P. The Japanese Problem in California, 34: 262-8.
- Cosmology, 1: 566; 44: Sup. N., '12, '10.
- COSSON, GEORGE. The Courts and Prison Labor, 46: 122-31.
- Costs, 2: 614; 5: 150; 10: 334; 22: 459-69; 41: 59, 276; 44: Sup. N., '12, 58; 48: 244-51; 53: 40, 183-93, 221, 224, 237-8, 282; 61: 165-73; 62: 253-5; 63: 77-8, 224, 230-1.
- COST AND EXPENSE, 3: 703-35.
- COSTS AND PROFITS, THE EFFECT OF IDLE PLANT ON, 61: 86-9.
- COST AND UTILITY, 3: 409-28.
- COST, UTILITY AND, AS DETERMINANTS OF VALUE, 10: 334-58.
- COST ACCOUNTING, SIMPLIFIED, FOR MANUFACTURERS, 61: 165-73.
- COST KEEPING, THE IMPORTANCE OF, TO THE MANUFACTURER, 22: 459-69.
- Cost of living: 42: 13, 23, 45-6, 53, 208, 223, 225; 44: 8; 44: Sup. N., '12, 64-9; 48: 41, 127, 133-9, 149, 164-89, 225-37, 230, 234, 240, 241, 244, 250, 252-8; 50: 81, 84, 86, 146, 240; 59: 322; France, 12: 257.
- COST OF LIVING, ADVERTISING AND THE HIGH, 48: 238-43.
- COST OF LIVING, COÖPERATION AS A MEANS OF REDUCING THE, 48: 225-37.
- COST OF LIVING, THE FARMER'S SHARE IN THE HIGH, 48: 252-5.
- COST OF LIVING, THE AND HOUSEHOLD MANAGEMENT, 48: 127-30.
- COST OF LIVING, THE HOUSEKEEPER AND THE, 48: 256-8.
- COST OF LIVING, MONETARY SIDE OF THE, PROBLEM, 48: 133-9.
- COST OF LIVING, MUNICIPAL MARKETS IN THEIR RELATION TO THE, 48: 140-8.
- COST OF LIVING, EFFECT OF THE NEW JERSEY DEPARTMENT OF WEIGHTS AND MEASURES ON THE, 50: 86-93.
- COST OF LIVING FOR A WAGE-EARNER'S FAMILY IN NEW YORK CITY, 48: 104-11.



- COSTER, MAURICE. Existing Obstacles to the Extension of our Trade with Central and South America, **60**: 98-103; The Tariff and our Foreign Trade in Electrical Apparatus, **29**: 542-52.
- Cotton, **15**: Sup. M., '00, 156; **25**: 43; **32**: Sup. Jy., '08, 4, 41, 51, 54; **35**: 1; **35**: Sup. Mch., '10, 48; **37**: 163; **38**: 571; **39**: 163; **40**: 90; **42**: 92; **45**: 2, 250-1, 49; **62**: 50; 253; **59**: 14, 16-17. *See* South.
- COTTON, FINANCING OF, **38**: 599-609.
- COTTON IN SOUTHERN AGRICULTURAL ECONOMY, **35**: 1-7.
- COTTON CROP, FINANCING THE, **35**: 16-24.
- COTTON EXCHANGES AND THEIR ECONOMIC FUNCTIONS, **38**: 571-98.
- COTTON MILL, THE: THE HEROD AMONG INDUSTRIES, **38**: Sup. Jy., '11, 39-52.
- COTTON MILL, A FACTOR IN THE DEVELOPMENT OF THE SOUTH, **35**: Sup. Mch., '10, 47-51.
- COTTON MILLS, CHILD LABOR IN THE SOUTHERN, **27**: 259-69.
- COTTON MILLS, CONDITION OF LABOR IN THE SOUTHERN, **33**: 278-86.
- COTTON MILLS, PAY OF LABOR IN NEW ENGLAND, **33**: 301-6.
- COTTON, JOSEPH P., JR. Recent New York Legislation Upon Workmen's Compensation, **38**: 230-7.
- COULTER, JOHN LEE. Agricultural Laborers in the United States, **40**: 40-4; Influence of Immigration on Agricultural Development, **33**: 373-9.
- Councils, **29**: Sup. Mch., '07, 4, 9, 84; **57**: 257; municipal, **57**: 190.
- Counterfeiting, **3**: 570-1.
- COUNTRY, SOCIAL LIFE IN THE, **40**: 119-30.
- COUNTRY LIFE, Vol. **40**.
- COUNTRY LIFE, CIVIC ART AND, **40**: 191-9.
- COUNTRY LIFE, CONDITIONS AND NEEDS OF, **40**: 3-11.
- COUNTRY POPULATION, ECONOMIC SIGNIFICANCE OF CHANGES IN, **40**: 21-8.
- COUNTRY PROBLEM, ELEMENTS OF THE, **47**: 3-13.
- COUNTRY ROADS, IMPROVEMENT OF, IN MASSACHUSETTS AND NEW YORK, **5**: 269-71.
- COUNTRY SCHOOL, THE, **40**: 149-57.
- COUNTRY, A. J. The Desirability of a College Education for Railroad Work, **28**: 124-9; The Economic Necessity for the Pennsylvania Railroad Tunnel Extension into New York City, **29**: 245-59.
- Countries: **2**: 340; **7**: 419; **29**: Sup. Mch., '07, 8, 10, 27, 44-5, 56, 83; **37**: 188; **41**: 195, 200; **47**: 6, 8, 12, 14-18, 20-3, 27, 34, 63, 81, 86-8, 91-2, 95-6, 98-9, 101-2, 157, 160, 164, 199-202, 209, 211, 215-16, 219, 221, 225, 275-6; budgets, **62**: 223-34; charters, California, **47**: 230; civil service, **47**: 4, 101-11, 147; commission government, **41**: 200; England, **10**: 198; home rule, **47**: 229-36; Indiana, **14**: 266; **15**: 168; jails, **3**: 366; Los Angeles, **47**: 3, 5, 231; short ballot, **47**: 36, 97, 273; South Carolina, **15**: 168; standardization, **47**: 17.
- COUNTY, A THEORETICALLY PERFECT, **47**: 274-8.
- COUNTY AND MUNICIPAL BUDGETS IN THE UNITED STATES, SELECT LIST OF REFERENCES ON NATIONAL, STATE, **62**: 277-87.
- COUNTY AND TOWN GOVERNMENT IN ILLINOIS, **47**: 62-78.
- COUNTY IN POLITICS, THE, **47**: 85-100.
- COUNTY ADMINISTRATION OF SCHOOL AFFAIRS IN ITS RELATION TO THE STATE DEPARTMENT, **47**: 153-65.
- COUNTY ASSESSMENT AND TAXATION, STATE SUPERVISION OF, **47**: 213-26.
- COUNTY BUDGETS AND THEIR CONSTRUCTION, **62**: 223-34.
- COUNTY BUDGETS: ECONOMY AND EFFICIENCY IN EXPENDITURES, **47**: 199-212.
- COUNTY CIVIL SERVICE AND THE MERIT SYSTEM, THE, **47**: 101-11.
- COUNTY COMMUNITY AND ITS GOVERNMENT, THE, **47**: 14-25.
- COUNTY EMPLOYEE, THE, **47**: 81-4.
- County government, **12**: 446; **41**: 193; **47**: 5, 48-61, 90, 212-13, 237, 243, 274; **62**: 224-6, 231.
- COUNTY GOVERNMENT, Vol. **47**.
- COUNTY GOVERNMENT, EFFICIENCY IN, **41**: 193-203.
- COUNTY GOVERNMENT, TOWN AND, IN ILLINOIS, **47**: 62-80.
- COUNTY GOVERNMENT IN INDIANA, CHECKS ON, **47**: 248-54.
- COUNTY GOVERNMENT IN MISSOURI, **47**: 48-61.
- COUNTY GOVERNMENT IN NEW ENGLAND, **47**: 26-38.
- COUNTY GOVERNMENT IN NEW YORK STATE, **47**: 258-70.
- COUNTY GOVERNMENT, STATE AND, IN OREGON, AND PROPOSED CHANGES, **47**: 271-3.
- COUNTY PROBLEMS, BOSTON'S, **47**: 134-52.
- COUNTY PROBLEM, ELEMENTS OF THE, **47**: 3-13.
- COUNTY REORGANIZATION, THE MOVEMENT FOR, IN NEW JERSEY, **47**: 255-7.
- COUNTY ROAD CAMPS IN ARKANSAS, **46**: 88-9.
- Cours de philosophie positive*, **4**: Sup. Mch., '94, 100.
- Courts: **29**: Sup. Mch., '07, 4, 36-7; **32**: 193; **36**: 217; **43**: 29, 314-15, 278; **44**: 104, 107, 110, 112-13; **52**: 11, 16, 29, 109, 112, 192, 194, 200; **60**: 185-6; **61**: 278; arbitration, **24**: 81; **61**: 274; Canadian, **52**: 191-9; consular, **39**: 99; criminal, **52**: 84, 87, 96, 97; domestic relations, **52**: 115, 116, 119-21; federal, **52**: 113; Federal Trade Commission, **63**: 24-5, 35-6; general, **29**: Sup. Mch., '07, 43, 85, 86, 89; German, **36**: 445; inferior, **2**: 171; **36**: 170; juvenile, **19**: 311-12; kangaroo, **46**: 111-14; Maine, **47**: 28; mixed, **39**: 98; municipal, **52**: 100, 135; negroes, **49**: 168; New York City, **52**: 181-7; night, **52**: 181-7; public control, **26**: 672. *See* Municipal Courts, Arbitration, juvenile courts, Night Courts, Women's Courts.
- COURTS, A COMPARISON OF SOME OF THE PRINCIPLES AND RULES OF PRACTICE OF THE AMERICAN AND CANADIAN, **52**: 191-9.
- COURT OF DOMESTIC RELATIONS, CHICAGO, **52**: 115-23.
- COURTS, THE FEDERAL TRADE COMMISSION AND ITS RELATION TO THE, **63**: 24-36.

- COURTS, THE GERMAN, FOR THE ARBITRATION OF INDUSTRIAL DISPUTES, **36**: 445-52.
- COURTS, THE ATTITUDE OF THE, TOWARDS INDUSTRIAL PROBLEMS, **44**: 104-13.
- COURT, ILLINOIS JAILS AND THE KANGAROO, **46**: 109-14.
- COURTS, ADMINISTRATION OF CRIMINAL LAW IN THE INFERIOR, **36**: 169-74.
- COURTS, JUVENILE, **20**: 255-86.
- COURT, THE TREND OF THE JUVENILE, **52**: 149-58.
- COURT, WOMEN IN THE JUVENILE, **56**: 88-92.
- COURTS AND PRISON LABOR, THE, **46**: 122-31.
- COURT, THE WOMEN'S NIGHT, IN NEW YORK CITY, **52**: 181-7.
- COURT, WORLD, AND LEAGUE OF PEACE, **61**: 276-83.
- COURT ADMINISTRATION, THE OPPORTUNITY FOR WOMEN IN, **52**: 188-90.
- COWEN, W. SCOTT. Grain Inspection in Illinois, **38**: 396-408.
- COX, JAMES M. Improved Public Highways, **50**: 35-6.
- CRAWFORD, ANDREW WRIGHT. City Planning and Philadelphia Parks, **35**: 287-96; The Development of Park Systems in American Cities, **25**: 218-34; The Interrelation of Housing and City Planning, **51**: 162-71.
- CRAWFORD, ROBERT. Glasgow's Experience with Municipal Ownership and Operation, **27**: 1-19.
- CREDIT FONCIER, **46**: 171; **50**: 192.
- CREDITS: **5**: 471; **7**: 190; **11**: 191, 195, 204; **33**: 141; **36**: 654-68; **37**: Sup. J., '11, 7; **57**: 3; **59**: 306-7; **60**: 67-8; **61**: 61-2, 81-2; **63**: 97, 99, 144; California, **53**: 299; China, **9**: 359-79; cooperative, **46**: 172-3; currency, see Banks; England, **60**: 134; Federal Reserve Act, **63**: 100; France, **60**: 134; Germany, **60**: 134; prices, **35**: 627-35; prison labor, **46**: 122-31; public, **57**: 30; rural, **50**: 183-4, 189-90; South American, **61**: 72-3.
- CREDIT CURRENCY, AN ELASTIC, AS A PREVENTIVE OF PANICS, **31**: 326-34.
- CREDIT CURRENCY, THE USE OF, BY COUNTRY BANKS, **36**: 654-68.
- CREDIT REFORMATION, **63**: 97-104.
- CREDITS, EFFECT OF FARM, ON INCREASING AGRICULTURAL PRODUCTION AND FARM EFFICIENCY, **50**: 183-90.
- CREDITS, FARM, THROUGH FARMERS' LOAN ASSOCIATIONS, **50**: 191-6.
- Crete, report, **24**: 78.
- Crews: American vessels, **55**: 20; quarters and food for the, **63**: 235.
- Crime: **2**: 65; **3**: 80, 226, 766; **9**: 42, 46, 52; **12**: 378; **13**: 285; **19**: 153-4, 310-11; **25**: 107; **29**: 601-18; **46**: 61, 67, 69, 70; **49**: 75, 79; **52**: 64, 83-6, 90-104, 125; **62**: 83-8; capital punishment, **29**: 601; death penalty, **17**: 366; Denmark, **16**: 330; England, **19**: 309-10; foreigners, **9**: 62; lynching, **29**: 622; Massachusetts, **13**: 285; Mexico, **29**: 625; negro, **49**: 74; prevention, **3**: 130, 223-34. See Prisons, Indeterminate sentence.
- CRIME AND THE CENSUS, **8**: 42-69.
- CRIME, IMMIGRANTS AND, **34**: 117-24.
- CRIME, NEW THEORY AS TO PUNISHMENT OF, **46**: 40-4.
- CRIME, PREVENTION OF, **46**: 31-4.
- CRIME, PREVENTIVE LEGISLATION IN RELATION TO, **3**: 223-34.
- CRIME, RELATION OF ECONOMIC CONDITIONS TO THE CAUSES OF, **3**: 764-84.
- CRIME FROM A STATISTICAL VIEWPOINT, **52**: 83-8.
- CRIMINAL JUSTICE, STATE INDEMNITY FOR ERRORS OF, **52**: 108-14.
- Criminal law, **23**: 493-501; **36**: 161-74, 185-9; **52**: 84, 87, 89, 96-7, 102-8. See Crime, Prisons, Punishment.
- CRIMINAL LAW, ADMINISTRATION OF, IN THE INFERIOR COURTS, **36**: 169-74.
- CRIMINAL LAW, ADMINISTRATION OF,—THIRD DEGREE SYSTEM, **36**: 11-15.
- CRIMINAL LAW, EVILS AND REMEDIES IN THE ADMINISTRATION OF, **36**: 145-60.
- CRIMINAL LAW. TREATMENT OF THE ACCUSED, **36**: 16-19. See Accused.
- CRIMINAL LAW ASSOCIATION, INTERNATIONAL, **1**: 159-64.
- CRIMINAL LEGISLATION, RECENT TENDENCIES IN AMERICAN, **23**: 493-501.
- CRIMINAL PROCEDURE, THE EVOLUTION OF OUR, **52**: 93-101.
- CRIMINAL PROCEDURE, REFORM IN, **36**: 185-9.
- CRIMINAL PROCEDURE, REFORM IN, **52**: 102-7.
- CRIMINALITY IN THE SOUTH, NEGRO, **49**: 74-80.
- Criminals, **46**: 68-9, 71, 78, 106.
- CRIMINALS, CRITIQUE ON RECORDING DATA CONCERNING, **52**: 89-92.
- CRIMINALS, THE TREATMENT OF THE OFFENDER, **36**: 20-6.
- CRIMINALS. FALLACIES IN THE TREATMENT OF OFFENDERS, **36**: 43-6.
- Criminology, **18**: 372, 565; **52**: 107.
- Crises: **14**: 191; **59**: 133-7; **142**, **145**, financial, **60**: 127. See Industrial depression, Panics.
- CRISES, THE NORTHWEST IN THE RECENT FINANCIAL, **31**: 413-19.
- CRISES, THE THEORIES ADVANCED IN EXPLANATION OF ECONOMIC, **59**: 133-47.
- CRISES AND STOCK SECURITY VALUES, ECONOMIC, **35**: 636-45.
- CRISES, LESSONS OF THE FINANCIAL, **31**: Mch., '08.
- CRISIS, RESPONSIBILITY OF THE NATIONAL BANK IN THE PRESENT, **20**: 475-92.
- Crops, **48**: 141-4, 201; **50**: 5, 9, 20-3; **59**: 6-13, 45, 71.
- CROPS FOR THE SOUTH, NEW FARM, **35**: 52-9.
- CROP REPORTING SYSTEM, THE, **38**: 409-21.
- CROSBY, EVERETT U. Fire Prevention, **26**: 404-18.
- CROSBY, JOHN. Municipal Government Administered by a General Manager—The Staunton Plan, **38**: 877-83.
- Cross, C. W. Apprentices System on the New York Central Lines, **33**: 163-74.
- CROSSER, ROBERT. The Initiative and Referendum Amendments in the Proposed Ohio Constitution, **43**: 191-202. Why I Believe in Municipal Ownership, **57**: 282-92.
- CROWELL, JOHN FRANKLIN. Economic Aspects of British Agriculture, **14**: 204-19; Present Status and Future Prospects of American Shipbuilding, **19**: 46-60; The Maximum and Minimum Tariff, **32**: 394-8.

- Crown, powers of, **3**: 318.
- Cruisers, **41**: Sup. M., '12, 6, 11, 53, 59, 62.
- CRUISER, THE TIMBER: HIS RELATION TO  
TIMBER BONDS, **41**: Sup. M., '12, 62-9.
- Cruising, rules for, **41**: Sup. M., '12, 14.
- Cuba: **11**: 353-80; **15**: Sup. M., '00, 181-2;  
**17**: 177-8, 383, 554, 559-60; **18**: 141-78;  
**19**: 519-23; **20**: 471-4; **21**: 128-30, 153;  
**25**: 311; **54**: 33, 85; **55**: 72; **61**: 258-9;  
belligerency, **7**: 450-61; **11**: 353; charities,  
**19**: 517-18; government, **25**: 311-21;  
intervention, **11**: 353-80; Monroe Doc-  
trine, **11**: 364; municipal affairs, **23**: 174-  
5; population, **18**: 145, 163-78; reciprocity,  
**19**: 193; **22**: 129-47; **23**: 55-83; tariff, **15**:  
Sup. M., '00, 175, **32**: 321-9; trade, **17**:  
560; **19**: 370-6; **55**: 71, 72.
- CUBA, MILITARY GOVERNMENT OF, **21**:  
153-82.
- CUBA AND THE PHILIPPINES, OUR TRADE  
WITH, **19**: 370-6.
- CUBA AND PORTO RICO, OUR RELATION TO  
THE PEOPLE OF, **18**: 145-62.
- CUBA AND PORTO RICO, THE SPANISH POPU-  
LATION OF, **18**: 163-80.
- CUBA, THE REORGANIZATION OF LOCAL  
GOVERNMENT IN, **25**: 311-21.
- CUBA, THE MILITARY GOVERNMENT OF, **21**:  
153-82.
- CUBA, RECIPROCITY WITH, **22**: 129-47.
- CUBA, TARIFF RELATIONS WITH,—ACTUAL  
AND DESIRABLE, **32**: 321-9.
- CUBAN BELLIGERENCY, RECOGNITION OF, **7**:  
450-60.
- CUBAN INDEPENDENCE, INTERVENTION AND  
THE RECOGNITION OF, **11**: 353-80.
- Cullom, Shelby M., **4**: Sup. S., '93, 54, 57,  
58, 156.
- Cumberland River, **4**: Sup. S., '93, 126.
- CUMMINGS, W. J. Waste Material as a  
Source of Profit and Added Security on  
Timber Bonds, **41**: Sup. M., '12, 76-  
80.
- CUMMINS, FRANK S. Possibilities of Freight  
Traffic on Interurban Lines, **37**: 68-77.
- CUMMINS, THOMAS RISDEN. The Timber  
Cruiser, **41**: Sup. M., '12, 62-9.
- Cunard, Samuel, **55**: 50.
- Cunard Steamship Company, **42**: 194.
- CUNNINGHAM, WALLACE MCCOOK. Electric  
Railway Stocks, **35**: 657-73.
- CUNNINGHAM, WILLIAM. Why had Roscher  
so Little Influence in England? **5**: 317-34.
- Curbing, **41**: 131.
- Curbstone markets: **50**: 112-13, 128-9. *See*  
Markets.
- Currency: **2**: 780; **3**: 180-210, 573-80, 590,  
602; **4**: 950; **8**: 50-126; **9**: 225; **11**:  
191-224; **16**: 33-5; **31**: 335, 454; **37**: Sup.  
J., '11, 11; colonial, **12**: 236; credit, **36**:  
654-68; elastic, **4**: 299-301; **7**: 209; **37**:  
Sup. J., '11; Germany, **4**: 61; Japan, **39**:  
51, 155, 161; Latin America, **37**: 621; reform,  
**31**: 368, 454; **37**: Sup. J., '11, 10-18, 49; **41**:  
454-9. *See* Banks, Money.
- CURRENCY AND BANKING, NEGLECTED AS-  
PECTS OF, **31**: 420-47.
- CURRENCY, THE READJUSTMENT OF OUR  
BANKING SYSTEM AND THE UNIFICATION  
OF THE, **31**: 335-44.
- CURRENCY, BULLION NOTES AND AN ELASTIC,  
**4**: 299-301.
- CURRENCY, RELATION OF A CENTRAL BANK  
TO THE ELASTICITY OF THE, **31**: 372-6.
- CURRENCY, THE USE OF CREDIT, BY COUNTRY  
BANKS, **36**: 654-68.
- CURRENCY, AN ELASTIC CREDIT, AS A PRE-  
VENTIVE OF PANICS, **31**: 326-34.
- CURRENCY. THE STANDARD OF DEFERRED  
PAYMENTS, **3**: 293-305.
- CURRENCY. THE RELATIVE STABILITY OF  
GOLD AND SILVER, **14**: 38-72.
- CURRENCY, INDIAN, **4**: 493-528.
- CURRENCY OF THE PHILIPPINE ISLANDS, THE,  
**20**: 518-33.
- CURRENCY AND FINANCE IN THE PHILIPPINE  
ISLANDS, BANKING, **30**: 27-37.
- CURRENCY INFLATION, FIAT MONEY AND,  
IN NEW ENGLAND FROM 1620 TO 1780, **12**:  
229-49.
- CURRENCY LAW OF 1900, THE, **16**: 33-55.
- CURRENCY PROBLEMS, DIAGNOSIS OF THE  
WORLD'S ELASTIC, **31**: 377-97.
- CURRENCY REFORM, FOREIGN EXPERIENCE  
A GUIDE TO, **31**: 367-71.
- CURRENCY REFORM, THE NEED FOR, **37**:  
Sup. J., '11.
- CURRENCY REFORM, THE OBSTACLE TO, **31**:  
454-9.
- CURRENT LABOR PROBLEMS, **21**: J., '03.
- CURRENT POLITICAL PROBLEMS, **21**: Mch.,  
'03.
- CURRENT TRANSPORTATION TOPICS, **10**: 241-  
51.
- CURRIER, CHARLES F. A. Constitutional and  
Organic laws of France, 1875-1889, **3**: Sup.  
Mch., '93, 78.
- CURTIS, HENRY S. Public Provision and  
Responsibility for Playgrounds, **35**: 334-44.
- CURTIS, RUSSELL H. Classification of Law,  
**4**: 738-52.
- CURTIS, WILLIAM ELEROY. Our National  
Parks and Reservations, **35**: 231-40; A  
Brief History of the Reciprocity Policy, **29**:  
456-61.
- CURWEN, SAMUEL M. Economic Factors in  
the Selection of Cars for Urban Service,  
**37**: 82-8.
- CUSHING, MRS. G. W. B. New Jersey Child  
Labor Committee, **35**: Sup. Mch., '10, 178.
- Customs, **3**: 197; **5**: 57-68, 148, 778; **39**: 49;  
**58**: 13-15.
- CUTLER, J. E. Capital Punishment and  
Lynching, **29**: 622-5.
- Cycles, **59**: 137-41; **60**: 124.
- DA GAMA, SENHOR DOM DOMICIO. The  
Neutrality Rules Adopted by Brazil, **60**:  
147-54.
- DABNEY, CHARLES W. Child Labor and the  
Public Schools, **29**: 110-14; Educational  
Work in Tennessee, **22**: 284-6.
- DABNEY, W. D. The Basis of the Demand  
for the Public Regulation of Industries, **2**:  
433-49.
- Daire, Eugène, **4**: Sup. Mch., '94, 26.

- Dallas, **58**: 154.  
 Damages, *see* Compensation, Injuries.  
 DANA, CHARLES L. Alcoholism as a Cause of Insanity, **34**: 81-4.  
 DANA, RICHARD H. The Practical Working of the Australian System of Voting in Massachusetts, **2**: 733-50.  
 DANBURY HATTERS' CASE, THE LAW OF THE, **36**: 265-76.  
 Dangerous trades: children, **35**: Sup. Mch., '10, 10. *See* Child labor, Accidents, Insurance.  
 DANGEROUS TRADES, EXCLUSION OF CHILDREN FROM, **38**: Sup. Jy., '11, 90-4.  
 DANIELS, JOSEPHUS. The Progress of Southern Education, **22**: 310-19.  
 DANIELS, LORENZO. The United States' Opportunity to Increase its Foreign Trade with South America, **59**: 316-20.  
 DANIELS, W. M. The Formulation of Gresham's Law, **6**: 280-1.  
 DANISH WEST INDIES, NOTES ON, **22**: 99-110.  
 Dante, **4**: Sup. Mch., '94, 100.  
 Darlington, Thomas, **48**: 170-2.  
 Darwin, Charles, **4**: Sup. Mch., '94, 42; **20**: 391.  
 DAVENPORT, CHARLES B. Influence of Heredity on Human Society, **34**: 16-21.  
 DAVENPORT, EUGENE. Scientific Farming, **40**: 45-50.  
 DAVIDSON, JOHN. The Growth of the French Canadian Race in America, **8**: 213-35.  
 DAVIES, EDGAR T. The Difficulties of a Factory Inspector, **29**: 125-31; Child Labor, The Present Situation in Illinois, **33**: Sup. Mch., '09, 153-61; The Enforcement of Child Labor Legislation in Illinois, **29**: 93-103.  
 DAVIES, JOSEPH E. The Function of Government in its Relation to Industry, **60**: 58-9.  
 DAVIS, ARTHUR P. Reclamation of Arid West by Federal Government, **31**: 203-18.  
 DAVIS, EDITH SMITH. Result of the Teaching of the Effect of Alcohol on the Human System, **32**: 604-11.  
 DAVIS, J. P. The Union Pacific Railway, **8**: 259-303.  
 DAVIS, KATHARINE BEMENT. Reformation of Women—Modern Methods of Dealing With Offenders, **36**: 37-42.  
 DAWE, G. GROSVENOR. Sure Bases of a Greater South, **35**: 60-6.  
 Dawes Indian Bill, **2**: 836.  
 DAWSON, MILES M. American Life Insurance Methods, **4**: 753-63; Assessment Life Insurance, **26**: 300-7; Fraternal Life Insurance, **26**: 308-16; Publicity of Accounts of Industrial Corporations, **42**: 98-107; The System of Workmen's Compensation Best Adapted to the United States, **38**: 175-83.  
 DAY, CHARLES. A Constructive Policy for Public Service Corporations, **57**: 83-93.  
 Dayton: **62**: 166, 168-71; budget, **62**: 165-8, 170-1, 267; charter, **62**: 166; city manager, **62**: 163, 166, 174.  
 DEALEY, JAMES QUAYLE. Our State Constitutions, **29**: Sup. Mch., '07, 98.  
 DEAN, ARTHUR D. Trade Teaching in the Boot and Shoe Industry, **33**: 155-62.  
 DEAR, JOSEPH A. Adoptions and Rejections Under the Commission Statute of New Jersey, **38**: 778-80.  
 DEARDORFF, NEVA R. Women in Municipal Activities, **56**: 71-7.  
 Death: **20**: 652; **37**: 373; London, **1**: Sup. F., '91, 14; New York City, **23**: 311; Philadelphia, **1**: Sup. F., '91, 9-11; penalty, **17**: 366.  
 Debts: **2**: 335; **41**: 71, 258, 282; cities, **7**: 423; deferred payments, **3**: 293-305; Latin America, **54**: 118.  
 DEBTS AND SAVINGS OF WOMEN WORKERS, **37**: Sup. M., '11, 79-84.  
 DECENTRALIZATION, ADMINISTRATIVE CENTRALIZATION AND, IN ENGLAND, **10**: 187-205.  
 DECENTRALIZATION, ADMINISTRATIVE CENTRALIZATION AND, IN FRANCE, **11**: 24-43.  
 Decisions, Supreme Court, **42**: 77, 85, 145, 157, 238, 247, 251, 257, 277, 293, 311.  
 DECISIONS, THE RECALL OF, **52**: 13-24.  
 DECISIONS, CONSTITUTIONAL GROWTH THROUGH RECALL OF, **52**: 25-36.  
 DECKER, D. O. A Proposed Municipal Administrative Code for New Jersey Cities, **41**: 204-12.  
 DECKER, SARAH S. PLATT. Meaning of the Woman's Club Movement, **28**: 199-204.  
 Declaration of Independence, **29**: Sup. Mch., '07, 67.  
 DECLARATION OF INDEPENDENCE, THE ETHICS OF, **2**: 138-44.  
 DEERING, CHARLES. The Tariff and the Price of Agricultural Machines, **29**: 522-7.  
 DEFECTIVES, RACE IMPROVEMENT BY CONTROL OF (NEGATIVE EUGENICS), **34**: 22-31.  
 DEFENDER, THE ADVISABILITY OF A PUBLIC, **52**: 177-80.  
 DEFENSE, SOME PROBLEMS OF, **61**: 263-9.  
 DEFENSE, NATIONAL, THE SITUATION OF THE UNITED STATES AT THE CLOSE OF THE WAR AS A QUESTION OF, **60**: 138-42.  
 Deferred payments, **4**: 425-41; **9**: 93, 293-305; **14**: 39.  
 DEFERRED PAYMENTS, STANDARD OF, **3**: 293-305.  
 DEFERRED PAYMENTS, THEORY OF FINAL UTILITY IN RELATION TO STANDARD OF, **3**: 483-501.  
 DEFERRED PAYMENTS, TOTAL UTILITY STANDARD OF, **4**: 425-41.  
 DEFERRED PAYMENTS, THEORIES OF VALUE AND THE STANDARD OF, **5**: 882-96.  
 Deferred rebates, **55**: 9, 107-8, 142. *See* Rebates.  
 DEFERRED REBATE SYSTEMS, **55**: 164-7.  
 DEFORD, ROBERT W. Tenement House Regulation—The Reasons for It—Its Proper Limitations, **20**: 83-95.  
 DEGARMO, CHARLES. Ethical Training in the Public Schools, **2**: 577-99.  
 DEGENERACY, THE CHILD LABOR PROBLEM—A STUDY IN, **27**: 312-26.  
 DEGENERATION, EVIDENCES OF RACE, IN THE UNITED STATES, **34**: 43-7.  
 DE LACY, WILLIAM H. Functions of the Juvenile Court, **36**: 61-3.  
 DELANEY, J. C. The Necessity for Safety Devices, **38**: 108-11.  
 Delaunay-Belleville, **4**: Sup. S., '93, 70.  
 Delaville le Roulx, J., **4**: Sup. Mch., '94, 132.  
 Delaware, **11**: 174; **15**: 204-35; **22**: 541-2; **29**: Sup. Mch., '07, 58, 66, 68, 75; **38**: Sup. Jy., '11, 159-60.



- DELAWARE, ENGINEERING FEATURES OF CHESAPEAKE AND, AND NORFOLK-BEAUFORT WATERWAYS, **31**: 73-80.
- DELAWARE RIVER, THE, **31**: 67-72.
- Delaware and Hudson Canal, **31**: 92.
- DELEON, EDWIN W. Accidents to Working Children, **33**: Sup. Mch., '09, 131-43; Casualty Insurance Companies and Employers' Liability Legislation, **38**: 15-22.
- Delinquency: **35**: Sup. Mch., '10, 64; **46**: 72-5; **51**: 209; juvenile, **25**: 452; **51**: 209.
- DELINQUENCY, CAUSES OF, AMONG GIRLS, **36**: 77-9.
- DELINQUENT BOYS, THE ACTIVITIES OF, **46**: 72-7.
- DELINQUENTS, EDUCATION OF JUVENILE, **23**: 483-92.
- Demand, **61**: 154. See Competition, Unemployment.
- DEMING, HORACE E. Municipal Nomination Reform, **25**: 203-17; A Municipal Program, **17**: 431-43.
- Democracy, **3**: 312; **6**: 29; **10**: 57; **13**: Sup. M., '99, 77; **29**: Sup. Mch., '07, 6, 11, 12, 21, 36, 50, 53, 70, 71, 82, 90; **35**: Sup. M., '10, 12; **39**: 20; **43**: 24, 43; **44**: 33, 35; **44**: Sup. N., '12, 11, 29, 90. See Referendum, Suffrage, Representation.
- DEMOCRACY, ELECTION REFORMS: THE TREND TOWARD, **28**: 411-41.
- DEMOCRACY, A NEW INDUSTRIAL, **44**: 28-38.
- DEMOCRACY, MILITARISM AND, **13**: Sup. Mch., '99, 77-103.
- DEMOCRACY, RECENT POLITICAL EXPERIMENTS IN THE SWISS, **6**: 361-78.
- Democrat, **18**: 189-225; **44**: Sup. N., '12, 11, 29.
- Demography, International Congress of Hygiene and, **5**: 452-5.
- Denmark: **1**: Sup. Mch., '91, 66; butter, **50**: 258; coöperation, **48**: 214, 235; crime, **16**: 330; home rule, **18**: 359; **21**: 485-6; **24**: 395; juvenile court, **46**: 36; laborers, **16**: 331.
- DENNIS, WILLIAM CULLEN. The Right of Citizens of Neutral Countries to Sell and Export Arms and Munitions of War to Belligerents, **60**: 168-82.
- Dennison Manufacturing Company, **44**: 97.
- DENNISON, HENRY S. The Principles of Industrial Efficiency Applied to the Form of Corporate Organization, **61**: 183-6.
- Denver: **2**: 77; **18**: 357-9; **27**: 412-13; **41**: 180; charter, **24**: 395; **47**: 3; civic organizations, **27**: 412; civil service, **47**: 108; county government, **47**: 3; electric lighting, **21**: 486-7; franchises, **23**: 174; home rule, **18**: 359; **21**: 485-6; **24**: 395; juvenile court, **46**: 36; waste lands, **6**: 566.
- Department of Agriculture, **50**: 352; **59**: 59-61. See Agriculture.
- DEPARTMENT OF AGRICULTURE, THE OFFICE OF MARKETS OF THE UNITED STATES, **50**: 252-60.
- Department of Public Works: Milwaukee, **41**: 273; New York City, **41**: 12.
- Water, Gas and Electricity, New York, **41**: 16.
- Water Works, Milwaukee, **41**: 273.
- stores: **19**: 320-2; **42**: 92; child labor, **20**: 167-77; Prussia, **13**: 368.
- Departmental organization, **41**: 248.
- DEPENDENCIES, CIVIL SERVICE IN OUR NEW, **19**: 340-50.
- DEPENDENCIES, GOVERNMENT OF, **19**: M., '02.
- DEPENDENCIES, THE GOVERNMENT OF, **13**: Sup. M., '99, 3-74.
- DEPENDENT TERRITORY, LAW AND PRACTICE OF THE UNITED STATES IN THE ACQUISITION AND GOVERNMENT OF, **16**: 404-20.
- Dependents, see Children.
- Depositors, see Banking, Banks, Money.
- DEPOSITORY, BANK, THE INDEPENDENT TREASURY VS.: A STUDY IN STATE FINANCE, **20**: 571-603.
- Deposits, see Banking, Banks, Money.
- DEPOSITS, THE OPERATION OF THE MUTUAL SAVINGS BANK SYSTEM IN THE UNITED STATES, AND THE TREATMENT OF SAVINGS, **36**: 640-53.
- Depreciation: **53**: 130-1, 188-92, 200-4, 224, 239, 256; **63**: 177, 187-8; colonial currency, **12**: 236; Indiana, **53**: 17; Interstate Commerce Commission, **63**: 229-30; New Hampshire, **53**: 228; Ohio, **53**: 18; Oregon, **53**: 9; Pennsylvania, **53**: 18; street railway, **37**: 31-42; timber bond companies, **41**: Sup. M., '12, 57, 80. See Improvements, Taxation, Street Railways.
- DEPRECIATION, **53**: 198-213.
- DEPRECIATION PROBLEM, THE, **37**: 31-42.
- DEPRESSION, THE PANIC AND THE PRESENT, **32**: 55-62.
- DEPRESSION, THE RECOVERY FROM THE, **34**: 584-91.
- DERNBURG, BERNHARD. Germany and American Policies, **60**: 195-6.
- Des Moines: **29**: 596; **41**: 281; commission government, **38**: 698-718, 901-10; curbstone market, **50**: 112.
- DES MOINES, WHAT GOVERNMENT BY COMMISSION HAS ACCOMPLISHED IN, **38**: 908-16.
- DES MOINES PLAN, THE, COMMISSION GOVERNMENT IN IOWA, **38**: 698-718.
- Destinée sociale*, **4**: Sup. Mch., '94, 77.
- Destitution, **41**: 187.
- De Tocqueville, A., **4**: Sup. Mch., '94, 24-5.
- Detroit: **4**: Sup. S., '93, 100-1; **6**: 177, 191; **14**: 262; **28**: 331; **29**: 377; charities, **20**: 461-2; Consumers' League, **29**: 172-3; gas, **57**: 79, 97; paving, **29**: 583; preventable diseases, **29**: 196; rates, **57**: 97; recreation, **62**: 140; street railways, **13**: 416; **14**: 262; **57**: 79; taxation, **28**: 331; water supply, **30**: 582; waterways, **4**: Sup. S., '93, 100.
- DETROIT, THE CONTROL OF PUBLIC SERVICE CORPORATIONS IN, **31**: 576-92.
- Deutsche Vierteljahrsschrift*, **4**: Sup. Mch., '94, 119.
- Deutsch-französische Jahrbücher*, started by Marx, **4**: Sup. Mch., '94, 90, 93.
- Deutsche Staatswörterbuch*, **4**: Sup. Mch., '94, 121.
- DEVINE, E. T. National Conference of Charities and Correction, **8**: 563-72; The New View of the Child, **32**: Sup. Jy., '08, 4-10; The Shiftless and Floating City Population, **10**: 149-64; Employment Bureau for the People of New York City, **33**: 225-38; The Committee of Fifty and



- the Investigation of the Liquor Problem, **11**: 225-6; The Essentials of a Relief Policy, **21**: 343-62; The Economic Function of Woman, **5**: 361-76.
- Devolution, **44**: Sup. N., '12, 40, 83, 85.
- DEWSNUP, ERNEST RITSON. Recent Financial Investigations by the Interstate Commerce Commission, **63**: 199-213.
- DEXTER, EDWIN G. Drunkenness and the Weather, **16**: 421-34.
- Diagrams, **3**: 34.
- Diaz, **54**: 137-8, 148-9, 186-7, 202, 221-2, 226.
- DICKERMAN, JUDSON C. Some Notes on the Regulation of Gas Service, **53**: 278-84.
- DICKINSON, G. LOWES. How Can America Best Contribute to the Maintenance of the World's Peace? **61**: 235-8.
- DICKSON, WILLIAM B. New Jersey Employers' Liability and Workmen's Compensation Law, **38**: 218-24.
- DIEMER, HUGO M. E. Factory Organization in Relation to Industrial Education, **44**: 130-40.
- DIETLER, HANS. The Regulation and Nationalization of the Swiss Railway, I, **13**: 143-72; The Regulation and Nationalization of the Swiss Railways, II, **13**: 291-322.
- Differentials, **55**: 217-24.
- DILL, JAMES B. Industrials as Investments for Small Capital, **15**: Sup. M., '00, 107-19.
- Diminishing returns, **44**: Sup. N., '12, 38, 40, 84.
- Dingley tariff, **15**: Sup. M., '00, 176, 179; **19**: 201; **23**: 55-83; **29**: 450;.
- DINGLEY TARIFF, WHAT PROVISIONS OF THE, REQUIRE REVISION, **32**: 271-83.
- Diphtheria, **37**: 272. *See* Disease.
- Diplomacy, **54**: 286. *See* Ambassadors, International Law, Treaties.
- DIPLOMACY, A PRACTICAL, **54**: 295-302.
- Direct legislation: **2**: 324; **43**: 65-77; Missouri, **43**: 102; Nebraska, **15**: 162; Oregon, **15**: 162; South Dakota, **15**: 162; Utah, **43**: 90; Woodrow Wilson, **43**: 87. *See* Initiative and Referendum.
- DIRECT LEGISLATION AND THE RECALL, **43**: 65-77.
- Direct marketing, **25**: 10-11; **48**: 21-4; **50**: 24, 57, 69, 112, 114, 144, 197-8, 202, 227.
- DIRECT MARKETING, THE MOTOR TRUCK AS AN AGENCY IN, **50**: 20-34.
- Direct primary, **43**: 4, 16, 23. *See* Elections.
- DIRECT SELLING, ADVERTISING AS AN AID TO, **50**: 197-202.
- Direct shipments, **50**: 28, 66-8. *See* Direct Marketing.
- Directorates, *see* Interlocking Directorate.
- DIRECTORATES, INTERLOCKING, **57**: 45-9.
- Disability insurance, **59**: Sup. M., '15, 1, 3, 5-14, 42, 45, 61. *See* Insurance.
- DISABILITY PROVISION, THE TOTAL, IN AMERICAN LIFE INSURANCE CONTRACTS, **59**: Sup. M., '15.
- Disasters, *see* Accidents, Dangerous Trades, Insurance.
- DISASTERS, RED CROSS MEASURES FOR THE PREVENTION OF, **38**: 90-3.
- Discorso sopra la moneta*, **4**: Sup. Mch., '94, 17.
- Discount, **63**: 105, 107, 109-10, 114, 117-18, 137.
- Discrimination, **53**: 14-15, **55**: 5; **63**: 45-6.
- Disease: **1**: Sup. F., '91, 20; **17**: 377-80; **18**: 378-9; **19**: 509-10, 514; **20**: 456-7; **23**: 318; **25**: 408; **51**: 231; **59**: 46; preventable, **29**: 184, 194, 196, 198; prevention, **29**: 200; Texas, **17**: 556-7; tropical, **37**: 394-411. *See* Tuberculosis, Hospitals.
- DISEASE, THE HOUSE FLY AS A CARRIER OF, **37**: 412-23.
- DISEASES, THE STRUGGLE AGAINST PREVENTABLE, **29**: 184-203.
- DISEASE. HOW YELLOW FEVER MAY BE INTRODUCED INTO PHILIPPINES, **24**: 426-7.
- DISEASES AND HEALTH IN THE UNITED STATES, TROPICAL, **37**: 394-411.
- Dispensaries, **10**: 482; **21**: 325.
- DISPENSARIES, THE STATE, OF SOUTH CAROLINA, **32**: 545-55.
- DISPENSARY PROBLEM, SOME PHASES OF, **23**: 424-33.
- Disputes, **27**: 521-30; **36**: 333-9.
- DISPUTES, THE WORK OF EMPLOYERS' ASSOCIATIONS IN THE SETTLEMENT OF LABOR, **36**: 373-80.
- DISPUTES, ARBITRATION OF INDUSTRIAL, **24**: 285-95.
- DISPUTES, THE GERMAN COURTS FOR THE ARBITRATION OF INDUSTRIAL, **36**: 445-78.
- DISPUTES, THE NEXT LEGISLATION ON INDUSTRIAL, IN MASSACHUSETTS, **36**: 407-18.
- DISPUTES, SETTLEMENT AND PREVENTION OF INDUSTRIAL, IN NEW ZEALAND, **36**: 438-44.
- DISPUTES, PROPER BOUNDS OF THE USE OF THE INJUNCTION IN LABOR, **36**: 288-301.
- DISPUTES, USE AND ABUSE OF INJUNCTIONS IN TRADE, **36**: 89-103, 104-26, 127-36, 137-44.
- DISPUTES, STATE AGENCIES FOR DEALING WITH LABOR—THE EXPERIENCE OF NEW YORK, **36**: 397-406.
- DISPUTES, THE SERVICES OF LABOR UNIONS IN THE SETTLEMENT OF INDUSTRIAL, **27**: 521-30.
- DISPUTES, THE SETTLEMENT OF, AMONG THE MINE WORKERS, **36**: 333-9.
- DISPUTES, WELFARE WORK AS A WAY TO PREVENT LABOR, **36**: 381-90.
- DISPUTES ACT, THE CANADIAN INDUSTRIAL **44**: 1-9.
- DISPUTES INVESTIGATION ACT, THE CANADIAN INDUSTRIAL, **36**: 419-37.
- DISTILLERS, THE ATTITUDE OF THE, AND WHOLESALE LIQUOR DEALERS ON THE REGULATION OF THE LIQUOR TRAFFIC, **32**: 539-44.
- Distilling industry, *see* Liquor.
- DISTILLING INDUSTRY, PRESENT AMERICAN, BUSINESS CONDITIONS IN THE, **34**: 569-77.
- Distribution, **3**: 257-92; **6**: 79; **7**: 221; **44**: Sup. N., '12, 12, 21, 36-50, 62; **48**: 207, 211, 217, 238; **50**: 10-19, 57, 78, 103, 134, 211, 213, 231, 257; **63**: 60-1; wholesale, **50**: 72, 155.
- DISTRIBUTION, THE EFFECTS OF CONSUMPTION OF WEALTH ON, **3**: 257-92.

- DISTRIBUTION. CAN THE COST OF DISTRIBUTING FOOD PRODUCTS BE REDUCED, **48**: 199-224.
- DISTRIBUTION, ETHICAL BASIS OF, AND ITS APPLICATION TO TAXATION, **6**: 79-99.
- DISTRIBUTION OF FARM PRODUCTS, WHOLESALE CITY, **50**: 69-73.
- DISTRIBUTION, GRAIN GROWERS REDUCE COST OF, **50**: 203-10.
- DISTRIBUTION, THE PLACE OF THE INTERSTATE RAILROAD IN REDUCING FOOD, **50**: 10-19.
- DISTRIBUTION, SUBJECTIVE AND OBJECTIVE VIEW OF, **4**: 378-40.
- DISTRIBUTION COSTS, CITY PLANNING AND, **50**: 240-6.
- District attorney, **52**: 39, 41, 44-6, 53.
- of Columbia: **24**: 409; **33**: Sup. Mch., '09, 193-4; **36**: 68; **38**: Sup. Jy., '11, 57-9; **57**: 274-5; banking, **36**: 604; charities, **23**: 565-6; child labor, **29**: 152-3; **35**: Sup. Mch., '10, 144, 162-3; **38**: Sup. Jy., '11, 157-9; electric light service, **27**: 215; employment, **38**: Sup. S., '11, 27-9; finance, **31**: 671-88; franchises, **53**: 55, 59, 137; gas, **27**: 215; minimum wage, **56**: 65; prison labor, **46**: 161-5.
- DISTRICT OF COLUMBIA, CITIZEN'S CHILD LABOR COMMITTEE OF THE, **32**: Sup. Jy., '08, 124.
- DISTRICT OF COLUMBIA, THE ESSENTIALS OF A CHILD LABOR LAW FOR THE, **27**: 364-70.
- DISTRICT OF COLUMBIA, FINANCES OF, **31**: 671-88.
- DISTRICT OF COLUMBIA, PRISON LABOR IN, **46**: 161-5.
- District markets, **48**: 151; **50**: 157-8. *See* Markets.
- Disutility, **5**: 165.
- Dividends, **42**: 102, 103.
- Divorce, **1**: 23; **34**: 101; **52**: 116; **56**: 34-5. *See* Marriage.
- DIVORCE PROVISIONS, MARRIAGE AND, IN THE STATE CONSTITUTIONS OF THE UNITED STATES, **26**: 745-8.
- DIXON, SAMUEL G. Protecting Public Health in Pennsylvania, **37**: 339-46; The Rural Home, **46**: 168-74.
- DOANE, D. H. The Coöperative Lamb Club as an Agency for Lower Marketing Costs, **50**: 216-22.
- Docks, municipal, **41**: 229.
- Doctrine de Saint-Simon, quoted, **4**: Sup. Mch., '94, 74-5.
- DODD, W. F. The Finances of the District of Columbia, **31**: 671-88; Some Considerations upon the State-Wide Initiative and Referendum, **43**: 203-15.
- DODGE, MRS. ARTHUR M. Woman Suffrage Opposed to Woman's Rights, **56**: 99-104.
- Dogmatism, **44**: Sup. N., '12, 74, 77.
- DOMESTIC AND FOREIGN TRADE, SOME AGENCIES FOR THE EXTENSION OF OUR, **24**: 1-14.
- DOMESTIC MARKET, THE MANUFACTURER AND THE, **25**: 1-20.
- Domestic relations, *see* Families, Marriage.
- DOMESTIC RELATIONS, CHICAGO COURT OF, **52**: 115-23.
- Domestic service, negroes, **49**: 20.
- DOMESTIC SERVICE QUESTION, **5**: 1008.
- Domestic trade, *see* Commerce, Trade.
- DOMESTIC TRADE, STEAMSHIP LINE AGREEMENTS AND AFFILIATIONS IN THE AMERICAN FOREIGN AND, **55**: 75-111.
- Domestic water transportation, **55**: 205-31.
- DONAGHEY, GEORGE W. Why I Could Not Pardon the Contract System, **46**: 22-30.
- DONALDSON, C. S. Government Assistance to Export Trade, **34**: 555-62.
- DONNELLY, FREDERICK W. Securing Efficient Administration under the Commission Plan;<sup>1</sup> Securing Efficient Administration Under the Commission Plan, **41**: 218-32.
- DONNELLY, SAMUEL B. The Trade Agreement in the Building Trades, **27**: 510-16.
- DONOVAN, D. J. Contracts Between Steamship Lines and Shippers, **55**: 168-84.
- Donovan, Jeremiah, **57**: 230.
- Dorrien, August, **4**: Sup. Mch., '94, 33.
- Double taxation, *see* Taxation.
- DOUBLE TAXATION IN THE UNITED STATES, THE EXTENT AND EVILS OF, **58**: 105-11.
- DOWD, JEROME. Trusts: Abuses and Remedies, **5**: 573-7.
- DOYLE, CORNELIUS J. Compulsory Arbitration in the United States, **36**: 302-10.
- Drainage, **16**: 162; **35**: 77.
- DRAINAGE, RECLAMATION AND, **35**: 77-80.
- DRAPER, A. S. Conserving Childhood, **33**: Sup. Mch., '09, 1-14.
- Drei Fragen des Grundbesitzes und seiner Zukunft*, **4**: Sup. Mch., '94, 113.
- Dresden, **50**: 159; **57**: 121.
- DRESDEN, THE "HEIDE PARK" OF THE SOCIETY FOR THE ADVANCEMENT OF THE COMMONWEALTH IN, **35**: 441-8. *See* Recreation.
- Droit public et administratif romain*, **4**: Sup. Mch., '94, 132.
- DROWN, FRANK S. The Massachusetts Bureau of Statistics, **35**: Sup. Mch., '10, 134-6.
- DRUG TRADE AND THE ANTI-TRUST LAW, THE, **32**: 69-74.
- Drunkenness, **13**: 287-8; **36**: 171.
- DRUNKENNESS AND THE WEATHER, **16**: 421-34.
- DUBOIS, E. Child Labor in Belgium, **20**: 203-20.
- DUBOIS, W. E. B. The Study of the Negro Problems, **11**: 1-23; The Relation of the Negroes to the Whites in the South, **18**: 121-40; The Negro in Literature and Art, **49**: 233-7.
- Dubuque, **50**: 116, 139-52.
- DUDLEY, HELENA S. Relief Work Carried on in the Wells Memorial Institute, **5**: 377-97.
- Dueling, **29**: Sup. Mch., '07, 22, 27, 60.
- Dühring, E., **4**: Sup. Mch., '94, 94.
- Duluth: **17**: 149-50, 537; **18**: 549-50; **21**: 124-5; **22**: 386; **24**: 591; **25**: 186-8, 400-1, 633; **29**: 382; electric light service, **27**: 224; exchanges, **38**: 535; gas, **21**: 322-4; **27**: 224; **53**: 101; home rule, **53**: 101; liquor, **23**: 380-3; municipal ownership, **57**: 78-9; municipal water plant, **57**: 261; parks, **26**: 773; paving, **29**: 597; taxation, **26**: 168; telephones, **18**: 549; water, **21**: 322-4; **30**: 590; **57**: 26.

<sup>1</sup> See footnote, p. 27.

- DULUTH, KANSAS CITY, MO., OMAHA, BUFFALO, PHILADELPHIA, MILWAUKEE AND TOLEDO, THE EXCHANGES OF MINNEAPOLIS, **38**: 545-70.
- Dumas, Al., **1**: Sup. Mch., '91, 73.
- Duncker, M., **1**: Sup. Mch., '91, 16.
- DUNN, SAMUEL O. The Interstate Commerce Commission and the Railroads, **63**: 155-72.
- DURAND, E. DANA. Political and Municipal Legislation in 1895, **7**: 411-25; Political and Municipal Legislation in 1896, **9**: 231-45; Political and Municipal Legislation in 1897, **11**: 174-90; Political and Municipal Legislation in 1898, **13**: 212-29.
- DUVAL, G. L. Reciprocity and Its Relation to Foreign Trade, **29**: 466-9; Necessity and Purpose of Anti-Trust Legislation, **32**: 63-8.
- Dwellings, **51**: 126-7. See Housing, Tenements.
- EARLE, GEORGE H., JR. A Central Bank as a Menace to Liberty, **31**: 355-60.
- Earnings, **46**: 143. See Wages.
- EARNINGS OF PUBLIC SERVICE COMPANIES, CAPITALIZATION OF, **53**: 178-81.
- EAST, AMERICAN COMMERCIAL INTERESTS IN THE FAR, **26**: 83-8.
- EAST, JAPAN'S POSITION IN THE FAR, **26**: 75-82.
- EAST, THE SETTLEMENT OF POLITICAL AFFAIRS IN THE FAR, **26**: 59-74.
- EAST TO THE WEST, RELATIONS OF THE, **36**: Sup. Jy., '10, 17-20.
- East India Company, **1**: 535.
- EASTMAN, A. Express Business on Interurban Lines, **37**: 78-81.
- EASTMAN, CRYSTAL. The Three Essentials for Accident Prevention, **38**: 98-107.
- EATON, J. J. The Manila Trade School, **33**: 89-96.
- EBERHART, ADOLPH O. Prevention of Crime, **46**: 31-4.
- ECKARDT, H. M. P. Branch Banking Among the State Banks, **36**: 626-39; Canadian Banking, **45**: 158-70.
- Economic crises, see Crises.
- ECONOMIC CRISES AND STOCK SECURITY VALUES, **35**: 636-45.
- ECONOMIC CRISES, THE THEORIES ADVANCED IN EXPLANATION OF, **59**: 133-47.
- Economic geography, **14**: 149.
- ECONOMIC IDEAS, FALSE, **35**: Sup. Mch., '10, 13-15.
- Economic Journal, **4**: Sup. Mch., '94, 118.
- Review, **4**: Sup. Mch., '94, 118.
- *rale de France depuis 1789*, **4**: Sup. Mch., '94, 130.
- theory, **2**: 838; **10**: 51; **18**: 420-33; **44**: Sup. N., '12, 3, 12, 32, 89. See Capital, Commerce, Interest, Labor, Statistics, History, Prosperity, Competition, Rent, Trusts, Taxation, Wages, Wealth.
- ECONOMIC THEORIES, THE POLITICAL SIGNIFICANCE OF RECENT, **32**: 82-96.
- ECONOMIC THEORY IN AMERICA PRIOR TO 1776, **6**: 124-8.
- ECONOMIC THEORY, A DECADE OF, **15**: 236-56.
- ECONOMIC THEORY, RECONSTRUCTION OF, **44**: Sup. N., '12, 104.
- ECONOMIC VALUE, NOTES ON THE MAMMALS OF, IN CHINA, **39**: 169-78.
- Economics, **1**: 244-7, 263; **3**: 30-44, 409-28, 464-82, 703-35; **4**: 348; **4**: Sup. Mch., '94; **5**: 322; **7**: Sup. J., '96, 7-9; **10**: 206-40; **13**: 173, 230-4; **14**: 7; **44**: Sup. N., '12, 2, 4, 5, 13, 22, 31, 83, 92; **59**: 56. See Political Economy, Wealth.
- ECONOMICS IN GERMAN TECHNICAL SCHOOLS, **1**: 520-4.
- ECONOMICS, INSTRUCTION IN, IN ITALY, **1**: 635-61.
- ECONOMICS IN ITALY, **2**: 203-24.
- ECONOMICS. THE PRESENT PROBLEM IN ECONOMIC INTERPRETATION OF HISTORY, **24**: 540-55. See History.
- ECONOMICS. THE FORMULATION OF NORMAL LAWS, **7**: 426-49.
- ECONOMICS, PATTEN'S DYNAMIC, **3**: 30-44.
- ECONOMICS, A MISGUIDED PHILOSOPHER IN THE FIELD OF, **11**: 227-34.
- ECONOMICS, THE PHILOSOPHICAL BASIS OF, **10**: 206-40.
- ECONOMICS. A HISTORY OF POLITICAL ECONOMY, **4**: Sup. Mch., '94.
- ECONOMICS AND POLITICAL SCIENCE, LONDON SCHOOL OF, **6**: 283-9.
- ECONOMICS. UNCERTAINTY AS A FACTOR IN PRODUCTION, **8**: 304-31.
- ECONOMICS, INSTRUCTION IN PUBLIC LAW AND, IN GERMANY, **1**: 78-102.
- ECONOMICS, INSTRUCTION IN PUBLIC LAW AND, IN GERMANY, II, **1**: 272-88.
- ECONOMICS, RELIGION'S REPLY TO, **41**: 313-16.
- ECONOMICS, THE PSYCHOLOGICAL BASIS OF SOCIAL, **3**: 464-82.
- ECONOMICS AND SOCIOLOGY, UTILITY, **5**: 398-403.
- ECONOMICS, RELATION OF, TO SOCIOLOGY, **5**: 577-83.
- ECONOMICS, VACATION COURSES IN POLITICS AND, AT BERLIN, **6**: 281-2.
- ECONOMICS, VACATION COURSES IN POLITICS AND, **6**: 546-50.
- ECONOMICS. WEALTH AND WELFARE, I, **12**: 325-57.
- ECONOMICS. WEALTH AND WELFARE, II, **13**: 57-81.
- ECONOMICS. WEALTH AND WELFARE, III, **13**: 173-211.
- ECONOMIC THEORIES, THE POLITICAL SIGNIFICANCE OF RECENT, **32**: 82-94.
- Economists, **1**: 361-84; **4**: Sup. Mch., '94, 47; **10**: 465; **44**: Sup. N., '12, 6, 10, 16, 31.
- Economy: **4**: Sup. Mch., '94, 88-9; **7**: Sup. J., '96, 75-80; **41**: 23, 78; **44**: Sup. M., '12, 5, 9, 33, 36-8, 51, 92; **48**: 116; **62**: 24, 103; social, **4**: 302; **14**: 279; **16**: 328, 503.
- and Efficiency, Bureau of: Milwaukee, **41**: 8, 270; New York, **41**: 78.
- — — Commission, National, **41**: 23, 30, 66, 142, 239.
- ECONOMY. COUNTY BUDGETS: ECONOMY AND EFFICIENCY IN EXPENDITURES, **47**: 199-212.
- ECONOMY AND EFFICIENCY, THE MILWAUKEE BUREAU OF, **41**: 270-80.
- ECONOMY AND EFFICIENCY IN THE DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY OF NEW YORK CITY, **41**: 78-85.
- Ecuador, **37**: 651; **54**: 5, 11.

- EDGE, WALTER E. The New Jersey Employers' Liability Act, **38**: 225-9. Edinburgh, **8**: 416, 585.
- EDMONDS, FRANKLIN S. Significance of the Recent Reform Movement in Philadelphia, **27**: 180-90; Some Social Effects of a Reform Movement, **28**: 405-10.
- Edmonton: municipal ownership, **57**: 259-60.
- Edmunds, George F., **4**: Sup. S., '93, 135.
- Education: **1**: 638-55; **2**: 85-95, 204, 577-99; **3**: 669-90; **6**: 163, 281-3; **10**: 259, 359; **13**: 284, 334, 391, 419; **17**: 163-4, 363-4; **18**: 372; **23**: 563-5; **25**: 157-88, 371-4; **26**: 7; **28**: 115-23; **29**: Sup. Mch., '07, 7, 24-5, 59, 86; **32**: Sup. Jy., '08, 68-9, 72; **33**: 1-12, 33-41; **34**: 141-62; **37**: 391; **37**: Sup. M., '11, 85-90; **41**: 158, 311; **44**: 60-3, 70, 120, 124-6, 129; **47**: 153-4; **49**: 174, 210; **59**: 53-5, 101-2, 202-11; agricultural, **22**: 326; **35**: 49, 167; **40**: 19; Baltimore, **25**: 168-70; boys, **46**: 72; Buffalo, **9**: 468; **25**: 170-3; budget, **12**: 146; Bureau of, **1**: 470; Chicago, **25**: 161-4; child labor, **32**: Sup. Jy., '08, China, **39**: 8, 34, 83-96, 114; Cincinnati, **25**: 173-5; civil service, **38**: 3; Cleveland, **25**: 170; **41**: 171; college, **28**: 33, 36, 56-9, 115-23, 144; **40**: 12-18; commercial, **14**: 396; **36**: Sup. Jy., '10, 14-15; compulsory, **2**: 813-37; **25**: 428, 511, 559; **28**: 232; **29**: 65, 96; **32**: Sup. Jy., '08, 40; **35**: Sup. J., '10, 4, 41; **35**: Sup. Mch., '10, 123-4; delinquents, **23**: 483; Duluth, **25**: 186-8; elementary schools, **10**: 385; employment, **29**: Sup. J., '07, 14; **31**: Sup. M., '08, 19-23; England, **3**: 669; **56**: 38; English, **3**: 609; Filipino students, **23**: 572-3; **24**: 425; Germany, **1**: 78-102, 272-88; **35**: Sup. J., '10, 4; higher, **13**: 422; **28**: 124-9; **30**: 68; **49**: 211; industrial, **13**: 284, 419, 422; **25**: 514; **27**: 349; **33**: 13-32; **38**: 1; **42**: 136; **44**: 130-40; **49**: 219, 232; Japan, **36**: Sup. Jy., '10, 9-16; **38**: Sup. Jy., '10, 10-12; Massachusetts, **8**: 333; Mississippi, **22**: 304-9; negroes, **22**: 320; **49**: 18, 52, 101, 117, 166, 174, 186, 209-11, 215, 217, 222, 225-6; New York, **24**: 602; Peru, **37**: 662; Philadelphia, **25**: 164-7; Philippine Islands, **18**: 36; **30**: 69-82; **33**: 89-95; Pittsburgh, **25**: 175; Porto Rico, **18**: 383-6; **20**: 657-63; Providence, **25**: 181-2; Seattle, **25**: 185; secondary schools, **19**: 305-6; social, **15**: 133; South, **32**: Sup. Jy., '08, 57; statistics, **2**: 404; technical, **1**: 520-5; **33**: 97-104; Tennessee, **22**: 284-6; trade unions, **33**: 178-84; vocational, **25**: Sup. Mch., '10, 33; **27**: 614; **28**: 36, 56-9, 115-23; **33**: 23-32; Washington, D. C., **17**: 356; women, **35**: Sup. M., '10, 23-4; **56**: 38-40, 47, 130.
- EDUCATION. NEW ACADEMIC DEGREES AT PARIS, **7**: 286-90.
- EDUCATION FOR AGRICULTURE, **40**: 19-20.
- EDUCATION, THE NEED OF AGRICULTURAL, **35**: 150-5.
- EDUCATION, AGRICULTURAL, AND AGRICULTURAL PROSPERITY, **59**: 51-64.
- EDUCATION FOR BUSINESS, **28**: 101-14.
- EDUCATION, HIGHER, FOR BUSINESS PURSUITS AND MANUFACTURING, **28**: 115-23.
- EDUCATION, COMPULSORY, IN THE SOUTH, **32**: Sup. Jy., '08, 57-66.
- EDUCATION, THE FINANCIAL RELATION OF THE DEPARTMENT OF, TO THE CITY GOVERNMENT, **15**: 186-203.
- EDUCATION, FACTORY ORGANIZATION IN RELATION TO INDUSTRIAL, **44**: 130-40.
- EDUCATION. THE HIGH SCHOOL SYSTEM, **8**: 332-42.
- EDUCATION, INDIAN, **2**: 813-41.
- EDUCATION, INDUSTRIAL, **33**: J., '09.
- EDUCATION AND INDUSTRIAL PEACE, **44**: 119-29.
- EDUCATION, NATIONAL SOCIETY FOR THE PROMOTION OF INDUSTRIAL, THE, **33**: 13-22.
- EDUCATION, RELATION OF INDUSTRIAL, TO NATIONAL PROGRESS, **33**: 1-12.
- EDUCATION OF JUVENILE DELINQUENTS, **23**: 483-92.
- EDUCATION, THE POSITION OF LABOR UNIONS REGARDING INDUSTRIAL, **33**: 185-224.
- EDUCATION. COURSES IN POLITICS AND JOURNALISM AT LILLE, **8**: 342-9.
- EDUCATION, HIGHER, OF NEGROES IN THE UNITED STATES, **49**: 209-18.
- EDUCATION IN THE SOUTH, NEGRO, **22**: 320-9.
- EDUCATION, NEGRO. INDUSTRIAL EDUCATION AND THE PUBLIC SCHOOLS, **49**: 219-32.
- EDUCATION, OVERWORK, IDLENESS OR INDUSTRIAL, **27**: 342-53.
- EDUCATION, PUBLIC INSTRUCTION IN PERU, **37**: 663-82. See Peru.
- EDUCATION AND SOCIAL PROGRESS IN THE PHILIPPINES, **30**: 69-82.
- EDUCATION, PLACE OF THE POLITICAL AND SOCIAL SCIENCES IN MODERN, **10**: 359-88.
- EDUCATION. PROGRESS IN PORTO RICO, **23**: 402-4.
- EDUCATION, THE DESIRABILITY OF A COLLEGE, FOR RAILROAD WORK, **28**: 124-9.
- EDUCATION, RAILWAY PROFESSIONAL, ITS OBJECTS AND LIMITATIONS, **28**: 130-42.
- EDUCATION. TRAINING OF THE EFFICIENT SOLDIER, THE, **26**: 149-60.
- EDUCATION, CONFERENCE FOR, IN THE SOUTH, **22**: 271-9.
- EDUCATION, PROGRESS OF SOUTHERN, **22**: 310-19.
- EDUCATION, RELATION OF STATE TO, IN ENGLAND AND AMERICA, **3**: 669-90.
- EDUCATION, TECHNICAL, AT THE POLYTECHNIC INSTITUTE, BROOKLYN, **33**: 97-104.
- EDUCATION. VACATION COURSES IN ECONOMICS AND POLITICS, **6**: 546-50.
- EDUCATION AND PROFESSIONAL ACTIVITIES OF WOMEN, **25**: 117-23.
- EDUCATION OF WOMEN, THE, AND SEX EQUALITY, **56**: 38-46.
- EDUCATIONAL POLICY FOR SPANISH-AMERICAN CIVILIZATION, AN, **30**: 65-8.
- EDUCATIONAL PROGRESS IN MISSISSIPPI, **22**: 304-9.
- EDUCATIONAL SYSTEM, CHINA'S METHOD OF REVISING HER, **39**: 83-96.
- EDUCATIONAL WORK IN TENNESSEE, **22**: 284-6.
- Edward III, **1**: Sup. Mch., '91, 18.
- EDWARDS, CLARENCE R. Our Trade with Cuba and the Philippines, **19**: 370-6; Our Tariff Relations with the Philippines—Actual and Desirable, **32**: 363-6.
- EDWARDS, DWIGHT W. The Chinese Young Men's Christian Association, **39**: 109-23.



- EDWARDS, THOMAS J. The Tenant System and Some Changes since Emancipation, 49: 38-46.
- EFFECTIVE CHARITY ADMINISTRATION, 41: 176-92.
- Efficiency: 17: Sup. J., '01, 47; 30: 539; 37: 43-58; 41: 3, 5-6, 8, 10, 14, 16, 17, 19, 26, 43-56, 69, 71, 78, 87, 93-104, 113, 115, 127, 151, 158, 171, 176, 193, 218, 245, 270, 280-1, 304, 316; 42: 27-8, 64, 68, 111-12, 137, 141, 159, 206, 208, 222, 229, 232, 241, 243, 245, 262; 44: 37, 66-7, 98, 136; 57: 48, 86-7, 242-3, 264-5, 308-9; 59: 65-77, 116-18, 199, 245; 61: 107-8, 174, 185, 187, 200, 203, 205; 62: 60, 89-90; 63: 284.
- Efficiency THROUGH ACCOUNTING, 41: 43-56.
- Efficiency, INVESTIGATION AS A MEANS OF SECURING ADMINISTRATIVE, 41: 281-303.
- Efficiency, GREATER AGRICULTURAL, FOR THE BLACK BELT OF ALABAMA, 61: 187-98.
- Efficiency MOVEMENT, THE, IN ITS RELATION TO AGRICULTURE, 59: 65-76.
- Efficiency VALUE OF THE BUDGET EXHIBIT, 41: 151-7.
- Efficiency IN BUDGET MAKING, 41: 138-50.
- Efficiency, CHILD LABOR LEGISLATION—A REQUISITE FOR INDUSTRIAL, 25: 542-50.
- Efficiency IN CHILD SAVING, 41: 69-70.
- Efficiency IN CITY GOVERNMENT, Vol. 41.
- Efficiency IN CITY GOVERNMENT, 41: 1-22.
- Efficiency IN CITY SCHOOL SYSTEMS, ATTAINING, 41: 158-75.
- Efficiency IN THE FISCAL OPERATIONS OF CITIES, 41: 71-7.
- Efficiency IN COUNTY GOVERNMENT, 41: 193-203.
- Efficiency, ECONOMY AND, IN THE DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY OF NEW YORK CITY, 41: 78-85.
- Efficiency, A FUNCTIONALIZED EMPLOYMENT DEPARTMENT AS A FACTOR IN INDUSTRIAL, 61: 112-20.
- Efficiency IN EXPENDITURES, COUNTY BUDGETS: ECONOMY AND, 47: 199-212.
- Efficiency, EFFECT OF FARM CREDITS ON INCREASING AGRICULTURAL PRODUCTION AND FARM, 50: 183-90.
- Efficiency IN HIGHWAY ADMINISTRATIONS WITH SPECIAL REFERENCE TO PAVEMENTS, 41: 115-26.
- Efficiency, THE PRINCIPLES OF INDUSTRIAL, APPLIED TO THE FORM OF CORPORATE ORGANIZATION, 61: 183-6.
- Efficiency, INDUSTRIAL OUTPUT AND SOCIAL, 59: 125-32.
- Efficiency, A NATIONAL SYSTEM OF LABOR EXCHANGES IN ITS RELATION TO INDUSTRIAL, 61: 138-45.
- Efficiency, THE MILWAUKEE BUREAU OF ECONOMY AND, 41: 270-80.
- Efficiency, OUTLOOK FOR MUNICIPAL, IN PHILADELPHIA, 41: 245-61.
- Efficiency, THE PROBLEM OF SECURING, IN MUNICIPAL LABOR, 41: 103-14.
- Efficiency OF THE NEGRO, THE BEREAN SCHOOL OF PHILADELPHIA AND THE INDUSTRIAL, 33: 111-18.
- Efficiency IN PHILADELPHIA, THE OUTLOOK FOR MUNICIPAL, 41: 245-61.
- Efficiency, SECURING, THROUGH A STANDARD TESTING LABORATORY, 41: 93-102.
- Efficiency OF SURFACE LINES, METHODS OF INCREASING THE, IN LARGE CITIES, 37: 43-58.
- Efficiency IN WATER REVENUE COLLECTION, 41: 86-92.
- Efficient SUPERVISION OF WEIGHTS AND MEASURES, 41: 213-17.
- Eggs, 50: 50, 199.
- Egypt, 1: Sup. Mch., '91, 15; 17: 420; 30: 42.
- Eisenbahn, und ihre Wirkungen, 4: Sup. Mch., '94, 115.
- Eklärung und Abhilfe der heutigen Creditnoth des Grundbesitzes, 4: Sup. Mch., '94, 85.
- ELDERSHAW, PHILIP S. The Exclusion of Asiatic Immigrants in Australia, 34: 410-23; Industrial Arbitration in Australia, 37: 203-21.
- Elections: 1: 225, 586-614; 2: 701; 5: 653-83; 6: 254; 7: 246-50; 8: 35; 9: 236; 11: 176-8; 13: 123, 217-18; 15: 165-6; 17: 181-204; 18: 351; 19: 204; 25: 326-7; 28: 411-13, 421; 29: Sup. Mch., '07, 2, 5-7, 10, 15, 19, 33, 51, 85; 38: 707; 56: 4; 62: 20; Australia, 28: 429; Belgium, 15: 381; Berlin, 15: 480; Buffalo, 11: 122; Chicago, 12: 306; 19: 485; China, 39: 37; Cincinnati, 12: 445; 13: 128; 21: 483-4; Cleveland, 13: 273; Cuba, 21: 129; democracy, 28: 411; Emporia, Kan., 38: 923; Illinois, 13: 220; 38: 754; 47: 75; judicial, 52: 1; Kentucky, 13: 217; Louisiana, 13: 217; Minnesota, 15: 165; 16: 490; 18: 550; municipal, 17: 356-8; Nebraska, 15: 165; New York, 10: 471; 11: 381-3; 12: 146; 13: 123, 217, 219, 348; 14: 385; New York City, 7: 505; New York State, 13: 217-19; 18: 351-2; North Carolina, 15: 166; Ohio, 8: 196; 13: 217, 346; Omaha, 7: 156; Pennsylvania, 18: 547; 20: 640-3; Philadelphia, 14: 20-3; 17: 181-204; popular, 43: 8; Porto Rico, 20: 657-63; primaries, 25: 326-7; 28: 440-52; Prussia, 39: 37; San Francisco, 21: 317-18; senators, 43: 8; Wisconsin, 11: 177. See Ballot, Citizenship, Representation, Suffrage.
- ELECTION AND PRIMARY LAWS, RECENT AMENDMENTS TO, 25: 326-7.
- ELECTIONS OF 1900, THE, 17: 53-73.
- ELECTION METHODS AND REFORMS IN PHILADELPHIA, 17: 181-204.
- ELECTION REFORMS: THE TREND TOWARD DEMOCRACY, 28: 411-41.
- ELECTION SYSTEM, THE TEST OF THE MINNESOTA PRIMARY, 20: 162-26.
- ELECTORAL QUESTION IN BELGIUM, PROPORTIONAL REPRESENTATION AND THE DEBATES UPON THE, 15: 381-404.
- Electric Light Association, service annuities paid by National, 44: 94.
- lighting: 2: 707-15; 27: 20, 111-19, 124, 224; 33: 674; 41: 78; 53: 42, 67, 180, 238-50, 285-91; 57: 85-6, 88, 266; Buffalo, 27: 210; Cleveland, 27: 208; competition, 21: 486-7; Kansas City, Kan., 57: 77-8; London, 15: 296; 27: 20-36; Los Angeles,



- 53: 113; municipal, 15: 296; 57: 76-7; New Orleans, 27: 211; New York, 27: 111-19, 200; Newark, 27: 217; Seattle, 27: 222; 57: 76-7; securities, 25: 106; St. Louis, 27: 206; St. Paul, 27: 220; taxation, 14: 163; valuation, 63: 111; Wisconsin, 53: 98, 266.
- ELECTRIC LIGHT, WATER AND STREET RAILWAY SERVICES IN NEW YORK CITY, THE GAS, 27: 111-31.
- ELECTRIC LIGHT SERVICE, THE RELATION OF THE AMERICAN MUNICIPALITIES TO THE GAS AND, 27: 200-31.
- ELECTRIC LIGHT SUPPLY OF LONDON, THE WATER, GAS AND, 27: 20-36.
- ELECTRIC LIGHTING AND POWER RATES, 53: 238-50.
- Electric railways: 19: 299, 303; 25: 105; 27: 70; 31: 695-700; 37: 110-15, 177-82; 44: 4; Pittsburgh, 51: 159; Wisconsin, 37: 150, 160-9. *See* Street railways.
- ELECTRIC INTERURBAN RAILWAY BONDS, AS INVESTMENTS, 30: 336-49. *See* Bonds.
- ELECTRIC RAILWAY COMPANY, THE RELATIONS OF THE, WITH ITS EMPLOYEES, 37: 88-92.
- ELECTRIC RAILWAYS. INTERURBAN LINES, EXPRESS BUSINESS ON, 37: 78-81.
- ELECTRIC RAILWAYS. INTERURBAN LINES, POSSIBILITIES OF FREIGHT TRAFFIC ON, 37: 68-77.
- ELECTRIC RAILWAYS. INTERURBAN PROBLEMS, THE PRESENTATION OF, TO THE PUBLIC, 37: 110-15.
- ELECTRIC RAILWAYS, RESULT OF FURTHER LEGISLATIVE REGULATION OF, 31: 695-700.
- ELECTRIC RAILWAYS, THE STRIKE PROBLEM UPON, 37: 93-103.
- ELECTRIC RAILWAY STOCKS, 35: 657-73.
- ELECTRIC RAILWAY TRANSPORTATION, 37: J., '11.
- ELECTRIC RAILWAYS IN WISCONSIN, STATE SUPERVISION OF, 37: 160-9.
- Electric rates: 57: 78, 212-89; cities, 57: 252; Cleveland, 57: 80; Kansas City, Kan., 57: 77-8; Pasadena, 57: 78, 212; Seattle, 57: 76-7; Winnipeg, 57: 77.
- roads, 50: 2; 57: 78, 212.
- service: 53: 285; 57: 126, 209, 211, 216-17, 219, 246-53; Buffalo, 27: 210; London, 15: 296; New York City, 27: 111; Providence, 27: 218; South Norwalk, 57: 228-48; Toronto, 57: 252; Wisconsin, 53: 266.
- ELECTRIC STREET LIGHTING IN CHICAGO, 2: 715-20.
- ELECTRIC UTILITIES, SERVICE REGULATIONS FOR, 53: 285-91.
- ELECTRIC WORKS, SOUTH NORWALK'S MUNICIPAL, 57: 228-45.
- ELECTRICAL APPARATUS, THE TARIFF AND OUR FOREIGN TRADE IN, 29: 542-52.
- Electricity: 57: 204, 236; Grand Rapids, 27: 220; New York, 41: 16, 78, 84, 94; Wisconsin, 53: 107.
- ELECTRICITY, ECONOMY AND EFFICIENCY IN THE DEPARTMENT OF WATER SUPPLY, GAS AND, OF NEW YORK CITY, 41: 78-85.
- ELECTRICITY. THE HYDRO-ELECTRIC SYSTEM IN TORONTO. 57: 246-53.
- ELECTRIFICATION OF AMERICAN RAILROADS, THE, 29: 266-74.
- Elementary Schools. *See* Schools.
- Elemente der Staatskunst*, 4: Sup. Mch., '94, 58.
- Elevated railroads, 51: 171, 204. *See* Street railways.
- Elevators, 29: Sup. J., '07, 25; 31: Sup. M., '08, 36.
- Elevator companies, coöperative, 50: 205-7.
- ELIOT, CHARLES W. How Can America Best Contribute toward Constructive and Durable Peace, 61: 243-4.
- ELIOT, THOMAS D. The Trend of the Juvenile Court, 52: 149-58.
- ELIOT, THOMAS L. Moral and Social Interests Involved in Restricting Oriental Immigration, 34: 300-5.
- ELKIN, JOHN P. General Problems Connected with the Administration of Justice, 36: 3-8.
- ELKUS, ABRAM I. Social Investigation and Social Legislation, 49: 54-65.
- ELLIOT, J. M. A National Clearing House as a Safeguard Against Panics, 31: 460-2.
- ELLIS, GEORGE H. The Fallacy of the "Closed Shop," 27: 517-20.
- ELLISON, J. F. The Inland Waterways of the South, 35: 114-19.
- ELLWOOD, CHARLES A. Aristotle as a Sociologist, 19: 227-38.
- Elmira Reformatory, 20: 455; 52: 90.
- Ely, George H., 4: Sup. S., '93, 101.
- ELY, RICHARD T. A Decade of Economic Theory, 15: 236-56.
- EMANCIPATION, THE TENANT SYSTEM AND SOME CHANGES SINCE, 49: 38-46.
- EMBANKMENTS, RIVER FRONT, 51: 254-8.
- Embargo, 54: 160, 231. *See* Belligerents.
- EMERY, JAMES A. Use and Abuse of Injunctions in Trade Disputes, 36: 127-36.
- Emigration: 61: 38; Canadian, 45: 83, 86-7, 96; Chinese, 39: 52; European War, 63: 285; Germany, 35: Sup. J., '10, 13; New York City, 21: 404-6. *See* Immigration.
- EMIGRATION, CAUSES OF CHINESE, 39: 74-82.
- EMIGRATION, SOURCES AND CAUSES OF JAPANESE, 34: 377-87.
- Eminent domain, 29: Sup. Mch., '07, 22, 57, 59.
- EMLEN, JOHN T. The Movement for the Betterment of the Negro in Philadelphia, 49: 81-92.
- EMMONS, C. D. The Relations of the Electric Railway Company with its Employers, 37: 88-92.
- EMORY, FREDERIC. Causes of Our Failure to Develop South American Trade, 22: 153-6; Russia in Asia, 15: 426-32.
- Employees, 28: 31; 42: 39; 59: 200, 202; 61: 104-9, 115, 123, 129, 132-4, 151-2, 155, 163-4, 185. *See* Workmen's Compensation, Street railways, Railroads.
- EMPLOYEE, THE COUNTY, 47: 81-4.
- EMPLOYEES, DISABILITY AND DEATH COMPENSATION FOR RAILROAD, 38: 45-56.
- EMPLOYEES, THE RELATIONS OF THE ELECTRIC RAILWAY COMPANY WITH ITS, 37: 88-92.
- EMPLOYEE, SOME GUIDING PRINCIPLES IN THE ADJUSTMENT OF THE RELATIONS BETWEEN EMPLOYER AND, 27: 507-9.

- EMPLOYEES, THE BOSTON CONSOLIDATED GAS COMPANY: ITS RELATION TO THE PUBLIC, ITS, AND INVESTORS, 31: 593-9.**
- EMPLOYEES' BENEFIT ASSOCIATION OF THE INTERNATIONAL HARVESTER COMPANY, 33: 246-57.**
- EMPLOYEES, RETIREMENT SYSTEMS FOR MUNICIPAL, 38: 6-14.**
- EMPLOYERS, 1: 47; 20: 648-52; 37: 88-92; 38: 218; 44: 12, 28-9, 42, 81, 92; 63: 263-4.**
- EMPLOYER'S POINT OF VIEW, CHILD LABOR FROM THE, 25: 551-7.**
- EMPLOYER, SOME GUIDING PRINCIPLES IN THE ADJUSTMENT OF THE RELATIONS BETWEEN, AND EMPLOYEE, 27: 507-9.**
- EMPLOYER, LABOR UNIONS AS THEY APPEAR TO AN, 21: 46-54.**
- EMPLOYERS' ASSOCIATIONS, THE WORK OF, IN THE SETTLEMENT OF LABOR DISPUTES, 36: 373-80.**
- EMPLOYERS' LIABILITY, 15: 487; 33: 293; 38: 2-4, 15-24, 144-50, 159-65, 169-74, 200, 202-4, 206, 218-29, 262; 39: 109-74; 44: 10, 81. See Labor, Workmen's Compensation.**
- EMPLOYERS' LIABILITY, AN ARGUMENT AGAINST, 38: 159-65.**
- EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION LAW, NEW JERSEY, 38: 218-24.**
- EMPLOYERS' LIABILITY ACT, NEW JERSEY, 38: 225-9.**
- EMPLOYERS' LIABILITY LAWS, LEGAL ASPECTS OF, 38: 144-50.**
- EMPLOYERS' LIABILITY LEGISLATION, CASUALTY INSURANCE COMPANIES AND, 38: 15-22.**
- EMPLOYERS' LIABILITY LEGISLATION, CONDITIONS OF PROGRESS IN, 38: 169-74.**
- EMPLOYERS' LIABILITY LEGISLATION, PRINCIPLES OF SOUND, 38: 202-4.**
- EMPLOYMENT: 14: 152; 17: Sup. J., '01, 28, 65; 29: Sup. J., '07, 4; 30: 448; 31: Sup. M., '08, 6-9; 35: Sup. Mch., '10, 127; 42: 25, 27-8, 32, 137, 204; 44: 60; 59: 125, 166-92; 61: 12, 17, 18, 41, 96-7, 103-4, 108-24, 126, 132, 134-6, 141-4, 158, 162; children, 29: Sup. J., '07, 18; 31: Sup. M., '08, 24-35; Colorado, 59: 168-9; District of Columbia, 38: Sup. S., '11, 27-9; educational requirements, 29: Sup. J., '07, 14; 31: Sup. M., '08, 19-23; France, 12: 252; girls, 59: 189-92; Illinois, 59: 169; Indiana, 59: 169; Kansas, 59: 169; labor statistics, bureau of, 63: 269; municipal, 38: 6-14; negroes, 49: 10-18; New Jersey, 59: 156; New York, 8: 424; 59: 3, 166, 169, 192; New York City, 33: 225-38; Ohio, 59: 166-8; Pittsburgh, 33: 326; scientific management, 61: 103-11, 164; seasonal, 50: 63; Washington, 59: '166; women, 33: 326-37. See Employment bureaus, Labor, Workmen's Compensation, Employers' Liability.**
- EMPLOYMENT OF GIRLS IN TEXTILE INDUSTRIES OF PENNSYLVANIA, THE, 23: 434-44.**
- EMPLOYMENT, PUBLIC BUREAUS OF, 59: 185-93.**
- EMPLOYMENT, SCIENTIFIC MANAGEMENT APPLIED TO THE STEADYING OF, AND ITS EFFECT IN AN INDUSTRIAL ESTABLISHMENT, 61: 103-11.**
- EMPLOYMENT DEPARTMENT, A FUNCTIONALIZED, AS A FACTOR IN INDUSTRIAL EFFICIENCY, 61: 112-20.**
- Employment bureaus: 33: 295; 44: 84; 59: 165-6, 168-71, 173-8, 181-6, 191-2; 61: 144-5; Belgium, 48: 7; Consumers' Leagues, 36: Sup. S., '10, 21; Germany, 14: 152; municipal, 13: 61; 38: 6-14; 59: 156, 166, 185; 61: 13; public, 59: 165-91; 61: 12-18; United Kingdom, 48: 7.**
- EMPLOYMENT BUREAU FOR THE PEOPLE OF NEW YORK CITY, 33: 225-38.**
- EMPLOYMENT BUREAUS, STATUTORY PROVISIONS FOR AND ACHIEVEMENTS OF PUBLIC, 59: 165-84.**
- Emporia, Kan., commission government, 38: 922-4.**
- EMPORIA, KAN., RESULTS OF COMMISSION GOVERNMENT IN, 38: 922-4.**
- Enclosures, England, 1: 422.**
- Endowment Associations, Massachusetts, 3: 271.**
- ENFORCEMENT, RECORD KEEPING AS AN AID TO, 51: 117-24.**
- Enfranchisement, negroes, 49: 55.**
- Engel Ernst, 1: Sup. Mch., '91, 94, 172, 185; 4: Sup. Mch., '94, 118.**
- Engineering College, University of Cincinnati, 44: 126.**
- ENGINEERS, SUPERVISING, AND STREET RAILWAY SERVICE, 37: 191-202.**
- England: 1: 414, 422; 2: 709; 3: 1-13, 669-90; 6: 350; 7: 1, 26, 517; 12: 74, 159, 186-7; 13: 4, 287; 14: 209, 292; 16: 491; 29: Sup. Mch., '07, 54, 63; 44: Sup. N., '12, 42; 50: 12, 13; 52: 93, 200-3, 205; 54: 99; 56: 100-13; 59: 302; 60: 52, 134, 215; 61: 61, 265; banks, 8: 463; 11: 47, 213; 36: 516, 530; budgets, 62: 204-10; centralization and decentralization in, 10: 187; charities, 10: 193; child labor, 22: 398; 25: 417; 27: 312-13; cities, 9: 303; 23: 175; 62: 208-10; cold storage, 8: 584; competition, 42: 192-5; coöperation, 9: 311; 48: 235; 50: 235-6; corporations, 32: 245; county organization, 10: 198; credit, 60: 134; crime, 19: 309-10; education, 3: 669-90; exports, 13: Sup. M., '99, 154; factories, 4: Sup. Mch., '94, 91; free trade, 51: 265; gas, 2: 708; 10: 132; housing, 10: 121; 21: Sup. J., '03, 57, 59; 26: 779; 51: 141; industrial revolution, 4: Sup. Mch., '94, 129; insurance, 38: 27; labor, 6: 346; liquor, 23: 514-17; 32: 615; money, 4: 495; municipal corporations, 23: 175-6; newspapers, 56: 138-40; party government, 5: 490; sanitation, 7: 359; 22: 530-1; schools, 1870-1904, 25: 409-12; socialism, 16: 323; 44: Sup. N., '12, 7, 16; street railways, 10: 131; Suez Canal, 39: 42; suffrage, 56: 111, 134, 138-40; sweat trades, 48: 27; taxes, 58: 3, 22, 38, 77; trade-unions, 5: 215; 44: 141; wage-earners, 4: Sup. Mch., '94, 93; water, 14: 143; waterways, 4: Sup. S., '93, 23-32, 103, 115; women, 56: 38, 111; workmen's compensation, 44: 11. See Great Britain, United Kingdom.**
- ENGLAND, ADMINISTRATIVE CENTRALIZATION AND DECENTRALIZATION IN, 10: 187-205.**
- ENGLAND, POLICIES OF GERMANY, CANADA**

- AND THE UNITED STATES TOWARD COMBINATIONS, **42**: 183-201.
- ENGLAND, LEGAL PROCEDURE IN, **52**: 200-7.
- ENGLAND, THE LICENSING QUESTION IN, **23**: 514-17.
- ENGLAND, THE REGULATION OF THE LIQUOR TRAFFIC IN, **32**: 612-15.
- ENGLAND, WHY HAD ROSCHER SO LITTLE INFLUENCE IN, **5**: 317-34.
- Engles, F., **4**: Sup. Mch., '94, 81, 89-90, 93-5.
- ENGLISH CITIES, THE BUDGET PROCEDURE OF FRENCH AND, **62**: 204-10.
- ENGLISH METHODS OF LENDING AS CONTRASTED WITH AMERICAN, **36**: 511-22.
- ENGLISH PARTY SYSTEM, BREAK-UP OF THE, **4**: 490-511.
- Enjoyment, **13**: 57. *See* Recreation.
- ENIGN, FRANCES H. Organization and Accomplishments of the W. C. T. U. in Ohio, **35**: 525-7. *See also* **32**: 513.
- ENTERPRISE LIABILITY FOR INDUSTRIAL INJURIES, **38**: 257-61.
- Entomology, agriculture and, **59**: 43.
- ENTREPRENEUR, AMERICAN MUNICIPAL SERVICES FROM THE STANDPOINT OF THE, **28**: 371-84.
- Environment, **7**: 280; **7**: Sup. J., '96, 7-17; **44**: Sup. N., '12, 94; **51**: 151; **59**: 105-6.
- ENVIRONMENT, INFLUENCE OF HEREDITY AND, UPON RACE IMPROVEMENT, **34**: 3-8.
- ENVIRONMENT, ADAPTION OF SOCIETY TO ITS, **4**: 529-50.
- Epilepsy, **6**: 185; **20**: 456-7. *See* Disease.
- Equal suffrage, **35**: Sup. M., '10, 30; **56**: 9-17, 35-7, 54-61, 93, 97, 99, 101, 129-33, 153, 196-8. *See* Suffrage, Ballot, Woman suffrage, Women, Women's clubs.
- EQUAL SUFFRAGE—A PROBLEM OF POLITICAL JUSTICE, **56**: 93-8.
- EQUAL SUFFRAGE CAMPAIGN IN PENNSYLVANIA, THE, **56**: 153-60.
- Equalization, **29**: Sup. Mch., '07, 54, 58; **58**: 114. *See* Taxation.
- Equipment, **41**: Sup. M., '12, 54; **62**: 259.
- Erdman act, **44**: 8.
- ERICKSON, HALFORD. Child Labor Legislation and Methods of Enforcement in Northern Central States, **25**: 467-79; Electric Lighting and Power Rates, **53**: 238-50; **57**: 123-62.
- Erie Canal, **4**: Sup. S., '93, 32, 35, 36, 40, 46, 55-7, 78, 81, 83, 85; **55**: 98, 103; **59**: 261. — Railroad, **50**: 3.
- Erkenntniss unseres staatswirthschaftlichen Zustandes, **4**: Sup. Mch., '94, 85.
- ESHLEMAN, JOHN M. What Regulation Must Accomplish if It is to be Permanent, **57**: 94-110; Should the Public Utilities Commission Have Power to Control the Issuance of Securities? **53**: 148-61.
- Essai sur l'économie rurale de l'Angleterre*, **4**: Sup. Mch., '94, 130.
- Essai sur l'histoire de la formation et des progrès du Tiers Etat*, **4**: Sup. Mch., '94, 131.
- Essex county, New Jersey, **47**: 26, 256.
- ESSEX COUNTY, NEW JERSEY, PARK SYSTEM OF, **35**: 266-72.
- Esswein, H. E., **50**: 186, 187.
- Estimates, **41**: 18, 43, 46, 48, 76, 94-5, 145, 237; **62**: 16-17, 48, 101, 106-8, 187-8, 217, 240-2, 259-60.
- ESTIMATES, THE PREPARATION OF, AND THE FORMULATION OF THE BUDGET—THE NEW YORK CITY METHOD, **62**: 249-63.
- Ethical Social League of New York City, **35**: Sup. Mch., '10, 29.
- Ethics, **1**: 575; **2**: 577-90; **3**: 129-49; **4**: Sup. Mch., '94, 128; **8**: 509-14; **10**: 313; **13**: 191.
- ETHICS, SCHOOL OF APPLIED, **5**: 1012.
- ETHICS, POLITICAL, OF HERBERT SPENCER, **4**: 582-619.
- Etudes économiques sur l'Alsace ancienne et moderne*, **4**: Sup. Mch., '94, 132.
- Etudes sur l'industrie et la classe industrielle à Paris au xiii<sup>e</sup> et au xiv<sup>e</sup> siècle*, **4**: Sup. Mch., '94, 132.
- (EUGENICS, NEGATIVE), RACE IMPROVEMENT BY CONTROL OF DEFECTIVES, **34**: 22-31.
- Europe: **4**: Sup. Mch., '94, 17; **11**: 363; **26**: 642; **50**: 255; **52**: 60, 95, 110; **54**: 51, 99-106, 109, 117, 128; **56**: 6-8, 20; **60**: 61, 69, 73, 75-6, 119; **61**: 33, 74-5, 252; accidents, **48**: 5; banking, **37**: Sup. J., '11, 21; charities, **21**: 363-5; child labor, **21**: 499-502; competition, **42**: 75; convict labor, **46**: 18, 95; coopération, **50**: 255; **61**: 74-5; housing, **51**: 69; Latin America, **22**: 71-82; markets, **48**: 149; **50**: 106, 113, 115; Monroe Doctrine, **54**: 58, 101, 107-8, 111; municipal ownership, **57**: 194; reciprocity, **29**: 450-5, 468; school gardens, **17**: 363; school savings banks, **3**: 15-16; socialism, **44**: Sup. N., '12, 7; South America, **22**: 159-68; street planning, **51**: 184.
- EUROPE, ARGENTINE COMMERCE WITH UNITED STATES AND, **22**: 171-6.
- EUROPE, SELLING AMERICAN BONDS IN, **30**: 269-83. *See* Bonds.
- EUROPE, THE DOCTRINE AND PRACTICE OF INTERVENTION IN, **16**: 1-32.
- EUROPE AND LATIN AMERICA, **22**: 67-110.
- EUROPE, SOME OF THE CAUSES OF CONFLICT BETWEEN, AND LATIN AMERICA, **22**: 71-82. *See* Latin America.
- EUROPE, THE ATTITUDE OF, TOWARD THE MONROE DOCTRINE, **54**: 99-106.
- EUROPE, RECIPROCITY WITH CONTINENTAL, **29**: 450-5.
- EUROPE AND THE UNITED STATES IN THE WEST INDIES, **26**: 33-44.
- EUROPEAN COUNTRIES, WHAT, THINK OF THE MONROE DOCTRINE, **54**: 107-12.
- EUROPEAN COUNTRIES, RECENT PROGRESS IN, IN WORKMEN'S COMPENSATION, **38**: 246-56.
- EUROPEAN TRADE RELATIONS WITH SOUTH AMERICA, **22**: 159-68. *See* Trade.
- European War: **59**: 291-2, 297-8, 322; **60**: 104, 106-7, 113, 133, 201-2, 222; **61**: 4-5, 45, 50, 74, 235, 239, 241; **63**: 144, 233-4, 278-9; Africa, **60**: 13-14; Argentina, **59**: 313; **60**: 78; Asia, **60**: 14; causes, **61**: 245, 254-5; cost, **59**: 299; **60**: 104, 127, 130; **61**: 252-3; effects, **59**: 13-14; **60**: 8-9, 12-15, 27, 30-1, 63-4, 69, 72-89, 106, 143-4, 201-2, 222; **61**: 4, 5, 6, 9, 66-70; emigration, **61**: 38; foreign trade, **60**: 8-9; German Africa,

- 60: 13-14; Germany, 61: 46, 67; immigration, 61: 32, 37-8; 63: 285; India, 60: 27; international credit, 61: 61-2; international trade, 60: 15; internationalism, 61: 218; Latin America, 60: 63-4, 72-89; 61: 67; Peru, 60: 86; prices, 59: 298, 299; 60: 19, 37; 61: 6; results, 60: 216; 61: 1, 8; Russia, 60: 14; shipping, 60: 30-1; South America, 59: 319; Southwest Africa, 23: 574; taxes, 59: 299; 60: 12-13; unemployment, 61: 6; wage-earners, 61: 5.
- EUROPEAN WAR, THE EFFECT OF THE, ON AMERICAN BUSINESS, 60: 143-4.
- EUROPEAN WAR, THE EFFECT OF THE, ON AMERICA'S FINANCIAL POSITION, 60: 106-12.
- EUROPEAN WAR, THE RESULTS OF THE, ON AMERICA'S FINANCIAL POSITION, 60: 113-18.
- EUROPEAN WAR, AMERICA'S INDUSTRIES AS AFFECTED BY THE, 61: 1-3.
- EUROPEAN WAR INFLUENCES UPON AMERICAN INDUSTRY AND LABOR, 61: 4-10.
- EUROPEAN WAR, AMERICA'S INTERESTS AS AFFECTED BY THE, Vol. 60.
- EUROPEAN WAR, AMERICA'S INTERNATIONAL TRADE AS AFFECTED BY THE, 60: 1-16.
- EUROPEAN WAR, THE EFFECT OF THE, ON AMERICA'S TRADE WITH INDIA, 60: 22-34.
- EUROPEAN WAR, BRITISH FINANCE AND THE, 58: 44-58.
- EUROPEAN WAR, CENTRAL AND SOUTH AMERICAN TRADE AS AFFECTED BY THE, 60: 60-8.
- EUROPEAN WAR, THE RELATIONS OF CENTRAL AND SOUTH AMERICA WITH THE UNITED STATES AS AFFECTED BY THE, 61: 66-70.
- EUROPEAN WAR, THE FINANCIAL MENACE TO AMERICA OF THE, 60: 123-9.
- EUROPEAN WAR, SOME INDUSTRIAL LESSONS OF THE, 61: 45-50.
- EUROPEAN WAR, TRADE CONDITIONS IN LATIN AMERICA AS AFFECTED BY THE, 60: 72-97.
- EVANS, DANIEL. The Social Work of a Church in a Factory Town, 30: 503-8.
- EVANS, POWELL. Fire Waste, 51: 104-9.
- EVANS, THOMAS S. The Christian Settlement, 30: 483-9.
- Evarts, William M., 4: Sup. S., '93, 135.
- EVENING SCHOOLS OF TRADES, PUBLIC, 33: 56-67.
- Evening trade schools, *see* Education, Schools, Vocational education.
- Evolution, 1: 72; 4: 153; 7: Sup. J., '96, 9-14; 10: 33-53, 165; 13: 65-80; 44: Sup. N., '12, 20, 40, 41, 44, 84.
- EVOLUTION, THE WATERWAYS AND COMMERCIAL, 59: 259-82.
- EVOLUTION OF OUR CRIMINAL PROCEDURE, THE, 52: 93-101.
- EVOLUTION, THE SOCIAL, OF THE ARGENTINE REPUBLIC, 37: 707-30.
- EVOLUTION, THE THREE PRIMARY LAWS OF SOCIAL, 20: 386-400.
- EVOLUTION, THE, OF A NEW WOMAN, 56: 111-21.
- Excess condemnation, 51: 242-3.
- Exchange: 2: 624, 639; 9: 74; cities, 38: 545-70; foreign, 32: 53; 38: 545-70; international, 14: 184.
- EXCHANGES, COTTON, AND THEIR ECONOMIC FUNCTIONS, 38: 571-98.
- EXCHANGE OF ST. LOUIS, MERCHANTS', 38: 540-4. *See* St. Louis.
- EXCHANGES OF MINNEAPOLIS, DULUTH, KANSAS CITY, MISSOURI, OMAHA, BUFFALO, PHILADELPHIA, MILWAUKEE AND TOLEDO, 38: 545-70.
- EXCHANGES, THE FUNCTIONS OF PRODUCE, 38: 319-53.
- EXCHANGE, THE NEW YORK PRODUCE, 38: 524-39.
- Excise duties, 3: 436.
- tax, 41: 195. *See* Taxes.
- EXCLUSION OF ASIATIC IMMIGRANTS IN AUSTRALIA, 34: 410-23.
- EXCLUSION LAW, ENFORCEMENT OF THE CHINESE, 34: 363-76.
- EXCLUSION LAWS, HOW CAN WE ENFORCE OUR? 34: 360-2.
- EXCLUSION LEGISLATION, THE LEGISLATIVE HISTORY OF, 34: 351-9.
- Executive, the, 1: 221-33; 3: 3-4, 6-7; 4: 217, 225; 9: 395; 29: Sup. Mch., '07, 3, 30; 62: 17-18, 42-4.
- Exemption, taxation, *see* Taxation.
- Exhibits, *see* Budgets.
- Exogamy, origin, 14: 274.
- Expansion, 12: 173-92; 16: 404-20.
- EXPANSION, THE ETHICAL AND POLITICAL PRINCIPLES OF, 16: 227-42.
- EXPANSION AND INTERNATIONAL COMPETITION, PROTECTION, 23: 26-42.
- Expenditures: 12: 436; 29: Sup. Mch., '07, 47-8, 84-5; 41: 38-9, 104, 125, 138, 174, 289; 47: 238; 48: 89-90; 58: 62; 62: 37-8, 48, 207, 238-9, 257-8, 272-3; municipal, 41: 32; 62: 114; New York City, 41: 81, 150; 62: 249; Philadelphia, 41: 64-5; recreation, 62: 140. *See* Budgets, Taxation.
- EXPENDITURES, COUNTY BUDGETS: ECONOMY AND EFFICIENCY IN, 47: 199-212.
- EXPENDITURE, SOME UNCONSIDERED ELEMENTS IN HOUSEHOLD, 48: 112-16.
- Expenses, 57: 134; 61: 87; 62: 238-9.
- EXPENSE, COST AND, 3: 703-35.
- Experiment stations, 35: 153; 40: 109; 59: 62; 61: 48. *See* Agriculture, Agricultural colleges.
- Exports, 9: 115; 17: 390; 39: 160, 162; 50: 103, 183; 60: 44-50, 65, 67, 74, 98-100, 108, 114, 121-2; 61: 51, 54-8; 63: 68, 138. *See* Commerce, Trade, Reciprocity.
- EXPORT BUSINESS, WHAT AMERICANS MUST DO TO MAKE AN, 29: 470-7.
- EXPORT POLICIES, AMERICAN, 61: 51-9.
- EXPORT TRADE, COÖPERATION IN, 60: 39-51.
- EXPORT TRADE, GOVERNMENT ASSISTANCE TO, 34: 555-62.
- EXPORT TRADE, THE TARIFF AND THE, OF THE UNITED STATES, 23: 1-11.
- EXPORTATION OF ARMS, AN ARGUMENT AGAINST THE, 60: 192-4.
- Express, 14: 164; 15: 371; 57: 201.
- EXPRESS BUSINESS ON INTERURBAN LINES, 37: 78-81.
- Extension work, agricultural, 59: 57. *See* Agriculture, Agricultural Colleges, Experiment Station.
- Extensions, 53: 50, 77, 300.
- EVERLY, E. K. Coöperative Movements among Farmers, 40: 58-68.



- Facilities, public service companies, **53**: 50, 301-3.
- Factories: **14**: 99; **20**: 235-53; **42**: 21-2, 76, 113, 136, 207; **44**: 31, 50, 130, 135; **56**: 106; **59**: 287; **61**: 180; children, **29**: Sup. J., '07, 56; **32**: Sup. J., '08, 67; Great Britain, **27**: 262; inspection, **10**: 485; **20**: 233; **32**: Sup. J., '08, 101, 104-6; inspectors, **32**: Sup. J., '08, 103; laws, **4**: Sup. Mch., '94, 91; **14**: 99; **17**: Sup. J., '01, 24; women, **56**: 106.
- FACTORY INSPECTION, ESSENTIALS IN, **32**: Sup. J., '08, 101-7.
- FACTORY INSPECTOR, THE DIFFICULTIES OF A, **29**: 125-31.
- FACTORY LABOR, **33**: Sup. Mch., '09, 104-10.
- FACTORY LEGISLATION, NECESSITY FOR, IN THE SOUTH, **20**: 181-8.
- FACTORY LEGISLATION, TENDENCIES OF, AND INSPECTION IN THE UNITED STATES, **20**: 235-53.
- FACTORY ORGANIZATION IN RELATION TO INDUSTRIAL EDUCATION, **44**: 130-40.
- Faginez, G., **4**: Sup. Mch., '94, 132.
- FAIRCHILD, F. R. The Financing of the South African War, **20**: 534-58.
- FAIRLIE, JOHN A. Budget Methods in Illinois, **62**: 85-90; The Problems of City Government from the Administrative Point of View, **27**: 132-54; Commission Government in Illinois Cities, **38**: 748-56; County and Town Government in Illinois, **47**: 62-78; Recent Extensions of Municipal Functions in the United States, **25**: 299-310; The New York Canals, **31**: 117-25; The Referendum and Initiative in Michigan, **43**: 146-58; The Economic Effects of Ship Canals, **11**: 54-78.
- FAIRS, INFLUENCE EXERTED BY AGRICULTURAL, **40**: 200-10.
- FALCONER, MARTHA P. Causes of Delinquency Among Girls, **36**: 77-9.
- FALKNER, R. P. Academic Instruction in Political and Economic Science in Italy, **1**: 635-61; American Economic Association, **3**: 369-72; Development of the Census, **12**: 358-86; Crime and the Census, **9**: 42-69; The Currency Law of 1900, **16**: 33-55; The International Criminal Law Association, **1**: 159-64; International Statistical Institute, **6**: 534-7; Editorial on Dr. Edmund J. James, **7**: 74-7; **17**: 287-90; Some Aspects of the Theory of Rent, **12**: 98-103; Translated by, The History, Theory and Technique of Statistics, Part I, **1**: Sup. Mch., '91, 100; Part II, **1**: Sup. M., '91, 144; In Memoriam: Francis Amasa Walker, **9**: 173-7. See also **4**: 950; **17**: 92-4.
- Family: **4**: 643; **12**: 222; **21**: 333-5; **34**: 97-105; **48**: 81; **52**: 117-18; **56**: 28-30, 32-3; budget, **44**: Sup. N., '12, 57-63; **48**: 69; equal suffrage, **56**: 35-7; expenditure, **37**: Sup. M., '11, 18; **48**: 118; housing, **51**: 2, 220; income, **58**: 36; women, **56**: 32-3. See Children, Women, Marriage.
- FAMILY, CHANGED IDEALS AND STATUS OF THE, AND THE PUBLIC ACTIVITIES OF WOMEN, **56**: 27-37.
- FAMILY, THE INSTABILITY OF THE, **34**: 97-105.
- FAMILY BASKET, THE COMBINATION, **50**: 171-4.
- FAMILY INCOME, UTILIZATION OF THE, **48**: 117-20.
- FAMILY LIFE, THE INVASION OF, BY INDUSTRY, **34**: 90-6.
- FAMILY LIFE, THE STANDARDIZATION OF, **48**: 81-90.
- Far East, **13**: Sup. M., '99, 163-97; **36**: Sup. J., '10, 25-6; **54**: 260; **55**: 67, 80.
- FAR EAST, AMERICAN COMMERCIAL INTERESTS IN THE, **26**: 83-8.
- FAR EAST, COMMERCIAL RELATIONS OF THE UNITED STATES WITH THE, **13**: Sup. M., '99, 107-60.
- FAR EAST, UNITED STATES AND THE: AN ECONOMIC AND MILITARY PROGRAM, **54**: 251-3.
- FAR EAST, A REVIEW OF OUR FOREIGN POLICY IN THE, **13**: Sup. M., '99, 163-7.
- FAR EAST, JAPAN'S POSITION IN THE, **26**: 75-82.
- FAR EAST, THE SETTLEMENT OF POLITICAL AFFAIRS IN THE, **26**: 59-74.
- FAR EAST, THE POLITICAL RELATIONS OF THE UNITED STATES WITH THE, **13**: Sup. M., '99, 163-97.
- FARBAR, JEROME H. Results of Commission Government in Houston, Texas, **38**: 901-5.
- FARES, CAUSES AFFECTING RAILWAY RATES AND, **11**: 324-52.
- FARLEY, JOHN W. A Questionnaire on Markets, **50**: 139-52.
- Farmers: **14**: 216; **48**: 144, 203, 214, 229, 253; **50**: 26, 111, 177, 193-4, 204, 207-8, 229, 252; **59**: 52-3, 68-9; accounts of, **50**: 175; Baltimore, **50**: 122; bona fide, **48**: 216; **50**: 122; bulletins, **48**: 144; Cleveland, **50**: 129; clubs, **50**: 216; cooperation, **50**: 2; Denmark, **48**: 214; England, **14**: 207; Illinois, **50**: 204; income, **50**: 102; Iowa, **50**: 206; markets, **50**: 112, 170, 197; Milwaukee, **50**: 132; needs of, **50**: 191; profits, **50**: 221; **59**: 71-2; Rochester, **50**: 137; telephones, **53**: 95; Wisconsin, **48**: 230. See Distribution, Farms, Farming, Cooperation, Agriculture, Agricultural Credit, Marketing, Markets.
- FARMERS, COÖPERATIVE MOVEMENTS AMONG, **40**: 58-68.
- FARMER'S SHARE IN THE HIGH COST OF LIVING, THE, **48**: 252-5.
- FARMERS CAN DO, WHAT, TO FACILITATE THE TRANSPORTATION AND MARKETING OF PRODUCE, **50**: 37-43.
- FARMERS, PROFITS THAT, RECEIVE, **50**: 175-82.
- FARMERS' EXCHANGE, THE MONMOUTH COUNTY, **50**: 211-15.
- FARMERS' LOAN ASSOCIATIONS, FARM CREDITS THROUGH, **50**: 191-6.
- FARMERS' MOVEMENT, THE, **4**: 790-8.
- FARMERS' MOVEMENT. THE GRANGE AND THE COÖPERATIVE ENTERPRISES IN NEW ENGLAND, **4**: 798-805.
- Farming: **48**: 227; **59**: 67-9, 74-5; scientific, **46**: 167-77; **50**: 18; **59**: 68-9; **63**: 81-4, 280. See Agricultural credit, Cooperation, Farms, Farmers.



- FARMING, SCIENTIFIC, 40: 45-50.  
 FARMING, SCIENTIFIC, AND SCIENTIFIC FINANCING, 46: 167-77.  
 FARMS: 2: 50, 188; 48: 237; 50: 178, 190; 58: 150-2; 59: 57-8, 69, 72-6; 61: 189-90; credits, 50: 184, 191, 227; labor, 59: 166-7; loans, 50: 184-5; management, 50: 175; 59: 66-9; organization, 50: 182; 59: 73-6; ownership, 22: 498; products, 50: 183, 232; 59: 65; profits, 59: 70-2; size, 57: 647. See Farming, Farmers, Markets, Distribution, Agricultural Credit.  
 FARM, THE MILL OR THE, 35: Sup. Mch., '10, 52-7.  
 FARM, OVERWORKED CHILDREN ON THE, AND IN THE SCHOOL, 33: Sup. Mch., '09, 116-21.  
 FARM CREDITS, EFFECT OF, ON INCREASING AGRICULTURAL PRODUCTION AND FARM EFFICIENCY, 50: 183-90.  
 FARM CREDITS THROUGH FARMERS' LOAN ASSOCIATIONS, 50: 191-6.  
 FARM CROPS FOR THE SOUTH, NEW, 35: 52-9.  
 FARM EFFICIENCY, EFFECT OF FARM CREDITS ON INCREASING AGRICULTURAL PRODUCTION AND, 50: 183-90.  
 FARM LABOR. ITALIAN AS AN AGRICULTURAL LABORER, 33: 380-90.  
 FARM LABOR, SUPPLY OF, 33: 362-72.  
 FARM PRODUCTS, WHOLESALE CITY DISTRIBUTION, 50: 69-73.  
 FARM TENANCY IN THE UNITED STATES, 40: 29-39.  
 FARM TENURE IN THE UNITED STATES, 33: 647-57.  
 FARQUHAR, A. B. The Manufacturer's Need of Reciprocity, 19: 185-203; What Ought the Tariff Rates to be on Iron and Steel Manufactures, 32: 284-9.  
 FARR, CLARA E. Allegheny County Child Labor Association, 38: Sup. Jy., '11, 182.  
 FARRELL, JAMES A. Central and South American Trade as Affected by the European War, 60: 60-8.  
 FARWELL, PARRIS T. The Social Work of a Suburban Church, 30: 496-502.  
 Fatigue, 29: 19-25.  
 Faucher, J., 4: Sup. Mch., '94, 116.  
 FAVILL, HENRY BAIRD. Child Labor as Related to the Stage, 38: Sup. Jy., '11, 66-73; The Federal Children's Bureau, 33: Sup. Mch., '09, 36-40.  
 FAY, CHARLES E. The Appalachian Mountain Club, 35: 393-400.  
 Federal Advisory Council, 63: 91-2.  
 FEDERAL BOND ISSUES, NATIONAL BANKING SYSTEM AND, 36: 592-606.  
 FEDERAL CHILDREN'S BUREAU, THE, 35: Sup. Mch., '10, 69-71; 38: Sup. Jy., '11, 12-13; 33: Sup. Mch., '09, 23-48; 35: Sup. Mch., '10, 45, 61-72.  
 Federal government: 52: 68, 86, 109; budget, 62: 23; railways, 63: 164-5; regulation, 63: 256; Switzerland, 3: 438. See Democracy, Constitutional government, United States.  
 FEDERAL GOVERNMENT, DEVELOPMENT OF THE, 32: 212-7.  
 FEDERAL GOVERNMENT. NATURE OF THE FEDERAL STATE, 3: 785-809.  
 FEDERAL GOVERNMENT, EXTENT OF REGULATION OF OCEAN AND INLAND WATER TRANSPORTATION BY THE, 55: 17-47.  
 FEDERAL GOVERNMENT, THE TREATY POWER: PROTECTION OF TREATY RIGHTS BY, 34: 313-28.  
 FEDERAL GOVERNMENT, RECLAMATION OF ARID WEST BY, 31: 203-18.  
 FEDERAL GOVERNMENT AND THE WORKING CHILDREN, THE, 27: 289-92.  
 Federal jurisdiction, 52: 68; 59: 223.  
 — license, 42: 65, 66, 98, 236, 244, 296, 305, 307, 313, 315.  
 — regulation, 55: 17, 23-36, 44-7; 59: 219-20; 63: 165-6.  
 FEDERAL REGULATION OF CORPORATIONS, 26: N., '05.  
 FEDERAL REGULATION OF RAILROADS, THE CONFLICT BETWEEN STATE AND, 63: 191-8.  
 FEDERAL REPRESENTATIVES, THE FIRST APPORTIONMENT OF, IN THE UNITED STATES, 9: 1-41.  
 Federal Reserve Act: 59: 226-8, 303-4, 327; 61: 254; 63: 95-6, 100, 105-6, 122-3, 125-8, 132, 134, 135-8, 140, 142-7, 149, 151-4; commercial borrowing, 59: 226-35; commercial paper, 59: 226-7, 230-2; 63: 105-6; credit, 63: 100. See Banking.  
 FEDERAL RESERVE ACT, THE INFLUENCE OF THE, UPON COMMERCIAL BORROWING, 59: 226-35.  
 FEDERAL RESERVE ACT, THE DEVELOPMENT OF OUR FOREIGN TRADE UNDER THE, 63: 132-41.  
 Federal reserve banks, 61: 3; 63: 102-3, 107-9, 129-30, 132-41, 144, 151. See Banks, Banking.  
 Federal Reserve Board, 59: 230-4, 304; 63: 88-96, 105-21, 123-4. See Federal Reserve Act.  
 FEDERAL RESERVE BOARD, COMMERCIAL PAPER AND THE, 63: 105-21.  
 FEDERAL RESERVE BOARD, THE ORGANIZATION AND WORK OF THE, 63: 88-96.  
 FEDERAL STATE, NATURE OF THE, 3: 785-809.  
 FEDERAL SUPERVISION AND REGULATION OF INSURANCE, 26: 681-707.  
 FEDERAL TAXATION, THE RELATION BETWEEN STATE AND, 58: 50-64.  
 Federal Trade Commission: 63: 14-37, 67-8, 81-7; coöperation, 63: 81-2; corporations, 63: 21-3; courts, 63: 24-36; foreign trade, 63: 67-8; powers, 59: 215; 60: 42.  
 FEDERAL TRADE COMMISSION, POSSIBLE BENEFITS OF THE, 63: 84-7.  
 FEDERAL TRADE COMMISSION, THE, AND ITS RELATION TO THE COURTS, 63: 24-36.  
 FEDERAL TRADE COMMISSION'S INVESTIGATION, THE, OF FOREIGN TRADE CONDITIONS, 63: 67-8.  
 FEDERAL TRADE COMMISSION LAW, THE, 63: 1-23.  
 FEDERAL USURPATIONS, 32: 185-211.  
 FEDERAL VALUATION OF THE RAILROADS IN THE UNITED STATES, 63: 182-90.  
 FEDERAL VALUATION OF UTILITIES, THE, 63: 173-81.  
 FEDERALISM, SOURCES OF AMERICAN, 6: 197-226.  
 Fee-System, 12: 58; 41: 210; 47: 17, 21.  
 FEE-SYSTEM, RELATION OF THE COLONIAL, TO POLITICAL LIBERTY, 12: 58-68.  
 Feeble-minded: 34: 141-62; boys, 23: 186; classification, 8: 202; girls, 23: 186; legislation, 10: 138; Montana, 21: 502; New

- Jersey, **23**: 186; prisoners, **19**: 310; women, **34**: 27.
- FEEDLE-MINDEDNESS, THE ELIMINATION OF, **37**: 505-16.
- FEISS, RICHARD A. Scientific Management Applied to the Steadying of Employment and Its Effect in an Industrial Establishment, **61**: 103-11.
- Feminism, **56**: 6, 18.
- FEMINISM AND CONVENTIONALITY, **56**: 47-53.
- FEMINISM, THE ECONOMIC BASIS OF, **56**: 18-26.
- FENTRESS, CALVIN. Timber Bonds as Investments, **41**: Sup. M., '12, 45-50.
- Ferguson, A., **4**: Sup. Mch., '94, 31.
- FERNALD, R. H. Service Regulations for Gas, **53**: 269-77.
- Fertaris, C. F., **4**: Sup. Mch., '94, 133.
- Ferries, **15**: Sup. M., '00, 24; **55**: 33.
- Fertilizers, **22**: 497. See Agriculture.
- FESLER, MAYO. Budget Making in Cleveland, **62**: 264-9.
- FETTER, FRANK. The Exploitation of Theories of Value in the Discussion of the Standard of Deferred Payments, **5**: 882-96.
- Feudalism, **30**: Sup. S., '07, 11-26.
- FLAMINGO, G. Individual Determinism and Social Science, **7**: 270-85.
- Fichte, J. G., **1**: Sup. Mch., '91, 51; **4**: Sup. Mch., '94, 83-5.
- Field, David Dudley, **29**: Sup. Mch., '07, 39.
- FIELD AND FOREST CLUB OF BOSTON, THE, **35**: 409-19.
- Fifteenth amendment, **18**: 96.
- FILENE, EDWARD A. Coöperative Pioneering and Guaranteeing in the Foreign Trade, **59**: 321-32; The Betterment of the Conditions of Working Women, **27**: 613-23.
- FILSINGER, ERNST B. Immigration—A Central American Problem, **37**: 743-50.
- Filtration, Philadelphia, **13**: 271.
- Final utility: **3**: 483-501; relation to money, **4**: 966.
- Finance: **8**: 236; **29**: Sup. Mch., '07, 34, 58-9, 86; **41**: 71; **58**: 131; **60**: 112, 115, 120-2; **62**: 152, 194-5, 205-6, 270; Berlin, **12**: 311; **15**: 477; Boston, **11**: 424; **16**: 156; Chicago, **21**: 119-20; Cincinnati, **11**: 428; **16**: 157; **21**: 320; Cleveland, **62**: 264; Havana, **16**: 159; Hawaii, **24**: 424; Illinois, **62**: 77-8; Indianapolis, **16**: 320; Latin American, **61**: 81-2; legislation, **37**: Sup. J., '11, 19; Maryland, **58**: 121; Massachusetts, **62**: 101-2; Montreal, **21**: 487-9; New Orleans, **16**: 488; New York, **12**: 144, 302; **16**: 148; **21**: 478-9; Omaha, **11**: 429; **16**: 157; Paris, **12**: 311; Porto Rico, **17**: 444-53; Providence, **21**: 320-2; Toronto, **62**: 212-18. See Banks, Bonds, Commerce, Credit, Crises, Debt, Exchanges, Interest, Investments, Loans, Money, Panics, Prices, Taxation, Trade, Wealth.
- FINANCE, **20**: N., '02.
- FINANCE, BANKING, CURRENCY AND, IN THE PHILIPPINE ISLANDS, **30**: 27-37.
- FINANCE, BRITISH, AND THE EUROPEAN WAR, **58**: 44-58.
- FINANCE. THE INFLUENCE ON BUSINESS OF THE INDEPENDENT TREASURY, **3**: 180-210.
- FINANCE, BUSINESS MANAGEMENT AND, **25**: J., '05.
- FINANCE, THE INDEPENDENT TREASURY VS. BANK DEPOSITORIES: A STUDY IN STATE, **20**: 571-603.
- FINANCE IN THE PHILIPPINE ISLANDS, BANKING, CURRENCY AND, **30**: 27-37.
- FINANCES OF THE DISTRICT OF COLUMBIA, **31**: 671-88. See District of Columbia.
- FINANCIAL ADMINISTRATION OF THE COMMONWEALTH OF MASSACHUSETTS, **62**: 101-12.
- FINANCIAL CONTROL: CAPITALIZATION, METHODS OF ACCOUNTING AND TAXATION, **15**: Sup. M., '00, 21-9.
- FINANCIAL CRISIS, LESSONS OF THE, **31**: Mch., '08.
- FINANCIAL INSTITUTIONS, STOCKS OF, **35**: 679-88.
- FINANCIAL INVESTIGATIONS, RECENT, BY THE INTERSTATE COMMERCE COMMISSION, **63**: 199-213.
- FINANCIAL OUTLOOK, OUR PRESENT, **21**: 280-92.
- FINANCIAL PROCEDURE IN STATE LEGISLATURES, **8**: 236-58.
- FINANCIAL REPORTS OF NATIONAL BANKS AS A MEANS OF PUBLIC CONTROL, **24**: 43-66. See Banks.
- FINANCIAL RETURNS UPON URBAN STREET RAILWAY PROPERTIES, THE DECREASING, **37**: 14-30. See Street Railways.
- FINANCIAL SITUATION, THE PRESENT, **60**: 104-5.
- FINANCIAL WORLD, THE CAUSE OF BUSINESS STAGNATION: AN INQUIRY INTO THE INTERRELATION OF THE INDUSTRIAL AND THE, **25**: 87-100.
- FINANCING AND ACCOUNTING PRACTICE, THE MOVEMENT FOR IMPROVED, IN TORONTO, **62**: 211-12.
- FINANCING A CITY PLAN, **51**: 246-53.
- FINANCING OF COTTON, **38**: 599-609. See Cotton.
- FINANCING OUR FOREIGN TRADE. See Foreign Trade, **36**: 492-502.
- FINANCING, SCIENTIFIC FARMING AND SCIENTIFIC, **46**: 167-77.
- FINANCING OF THE SOUTH AFRICAN WAR, THE. **20**: 534-58. See South African War.
- Finanzarchiv, **4**: Sup. Mch., '94, 118.
- Finanzwissenschaft, **4**: Sup. Mch., '94, 120.
- FINDLEY, A. I. The American Iron Trade of 1909 and the Outlook, **34**: 496-506.
- Fines, **46**: 142, 143. See Penalties.
- Finet, Theophile, **4**: Sup. S., '93, 39.
- Fingerprint identification system in women's night court, **52**: 184. See Courts, Prisons.
- Fink, Albert, **4**: Sup. S., '93, 59-60.
- FINLEY, W. W. Southern Railroads and Industrial Development, **35**: 99-104.
- FINNEY, JOHN H. Forest Resources and Conservation, **35**: 67-76.
- Fire: **17**: 370-2; **26**: 578-80; **41**: Sup. M., '12, 2, 60, 74, 80; **51**: 104, 113; insurance, **5**: 997; **22**: 413-26; **24**: 463-74; protection, **44**: 51; **51**: 106; **53**: 257-8; **62**: 150; waste, **51**: 104. See Insurance.
- FIRE INSURANCE, HISTORICAL STUDY OF, IN THE UNITED STATES, **26**: 335-58.
- FIRE INSURANCE. RATES AND METHODS, **22**: 413-26.
- FIRE INSURANCE, THE TRUE BASIS OF, **24**: 463-74.

- FIRE INSURANCE—EXPENSES, PROFITS, PROBLEMS, 24: 446-62.**
- FIRE INSURANCE POLICY, STANDARD, 26: 359-90.**
- FIRE INSURANCE RATES AND SCHEDULE RATING, 26: 391-421.**
- FIRE PREVENTION, 26: 404-18.**
- FIRE WASTE, 51: 104-9.**
- Fiscal administration, Latin America, 37: 618; Ohio, 62: 94-5; Illinois, 62: 85; New York, 62: 66-8.**
- FISCAL OPERATIONS OF CITIES, EFFICIENCY IN THE, 41: 71-7.**
- FISCAL POLICY, DEVELOPMENT OF MR. CHAMBERLAIN'S, 23: 105-20.**
- FISH, STUYVESANT. The Nation and the Railways, 32: 125-37.**
- FISH, WILLISTON. Methods of Increasing the Efficiency of Surface Lines in Large Cities, 37: 43-58.**
- FISHER, EDMUND D. Efficiency in the Fiscal Operations of Cities, 41: 71-7.**
- FISHER, IRVING. The Monetary Side of the Cost of Living Problem, 48: 133-9.**
- Fisheries, 8: 313; 35: 406; 45: 2, 58, 64; 55: 47, 63, 255.**
- FISHERIES, RECOMMENDATIONS OF THE COMMITTEE ON THE MERCHANT MARINE AND, 55: 255-62.**
- FITCH, JOHN A. Labor in the Steel Industry—The Human Side of Large Outputs, 33: 307-15; The United States Steel Corporation and Labor, 42: 10-19.**
- FLAGLER, C. A. F. Engineering Features of Chesapeake and Delaware, and Norfolk-Beaufort Waterways, 31: 73-80.**
- FLEXNER, BERNARD. The Juvenile Court—Its Legal Aspect, 36: 49-56.**
- FLINT, CHARLES R. The Significance of the Awakening of China, 36: Sup. Jy., '10, 32-7. Florida, 16: 93; 29: Sup. Mch., '07, 5, 31, 41, 71; 41: Sup. M., '12, 12; 49: 212; 53: 60; 58: 121, 124.**
- Florist's Hail Association, 19: 324-5.**
- FLY, THE HOUSE, AS A CARRIER OF DISEASE, 37: 412-23.**
- FOERSTER, ROBERT F. A Promising Venture in Industrial Partnership, 44: 97-103.**
- FOGHT, HAROLD W. The Country School, 40: 149-57.**
- FOLEY, WILLIAM. Bond Salesmanship, 30: 264-8; Organization and Management of a Bond House, 30: 257-63.**
- FOLKMAR, DANIEL. The Effect of the European War on America's Trade with India, 60: 22-34; The Administration of a Philippine Province, 30: 115-22.**
- FOLKS, HOMER. Enforcement of Child Labor Laws, 35: Sup. Mch., '10, 91-5; Poverty and Parental Dependence as an Obstacle to Child Labor Reform, 29: 1-8; Problems in Administration of Municipal Charities, 23: 268-80; The Treatment of the Offender, 36: 20-6.**
- \*Food: 2: 60; 37: Sup. M., '11, 47; 40: 105; 48: 112-13, 154; 50: 4-5, 14, 26-7, 32, 250; 60: 124; contraband, 56: 161-71; distribution, 48: 202, 204-6; Germany, 50: 153-65; 60: 37; prices, 48: 145; South American countries, 60: 88; standardization, 48: 211; women workers, 37: Sup. M., '11, 40-8.**
- See* Distribution, Farming, Marketing, Prices.
- Food Committee, Report of, of National Consumers' League, 34: Sup. Jy., '09, 53-60; 36: Sup. S., '10, 47-50; 38: Sup. S., '11, 45-9.**
- FOOD CONSERVATION, SOME ASPECTS OF, BY REFRIGERATION, 50: 44-7.**
- FOOD DISTRIBUTION, REDUCING THE COST OF, Vol. 50.**
- FOOD DISTRIBUTION, CONSTRUCTIVE PROGRAM FOR REDUCTION OF COST OF, IN LARGE CITIES, 50: 247-51.**
- FOOD DISTRIBUTION, THE PLACE OF THE INTERSTATE RAILROAD IN REDUCING, 50: 10-19.**
- FOOD DISTRIBUTION COSTS, WHAT COÖPERATIVE SOCIETIES MAY ACCOMPLISH IN LOWERING, 50: 229-39.**
- FOOD PRODUCTS, CAN THE COST OF DISTRIBUTING, BE REDUCED? 48: 199-224.**
- FOODSTUFFS, ARE, CONTRABAND OF WAR? 56: 161-71.**
- FOOD SUPPLY, RELATION OF COLD STORAGE TO THE, AND THE CONSUMER, 48: 154-63.**
- FOORD, JOHN. Commercial Relations of the United States with the Far East, 13: Sup. M., '99, 144-53.**
- FOOTE, ALLEN RIPLEY. Unregulated Competition is Destructive of National Welfare, 42: 108-15.**
- Foraker Act, 18: 226-50.**
- FORBES, ELMER S. Rural Housing, 51: 110-16.**
- FORBES, URQUHART A. The Inland Waterways of Great Britain and the Plans under Consideration for their Improvement, 31: 228-45.**
- Force, 60: 205, 207-8; 61: 279-80.**
- FORCE AND PEACE, 60: 197-212.**
- FORCES, THEORY OF SOCIAL, 7: Sup. J., '96.**
- FORD, FRANK R. Valuation of Intangible Street Railway Property, 37: 119-41.**
- FORD, HENRY JONES. Budget Making and the Work of Government, 62: 1-14; Political Evolution and Civil Service Reform, 15: 145-59; Principles of Municipal Organization, 25: 195-222; The Meaning of Totemism—An Essay upon Social Origins, 23: 518-28; The Results of Reform, 21: 221-37; Politics and Administration, 16: 177-88; Direct Legislation and the Recall, 43: 65-77.**
- FORD, WORTHINGTON CHAUNCEY. The Commercial Relations of the United States with the Far East, 13: Sup. M., '99, 107-30.**
- Foreign banks, *see* Banks.**
- cities, 10: 131, 298, 478-83.**
- commerce, 55: 263-74; 59: 302, 311-12.**
- See* Commerce, Trade, Reciprocity, Foreign Trade.
- FOREIGN COMMERCE, BILL TO REGULATE CARRIERS BY WATER ENGAGED IN THE INTERSTATE AND, OF THE UNITED STATES, 55: 263-74.**
- FOREIGN COMMERCE, REGULATION OF, BY THE INTERSTATE COMMERCE COMMISSION, 32: 157-84.**
- Foreign countries, necessity and desirability of investing money in, 59: 308, 332. *See* various countries.**

- FOREIGN COUNTRIES, THE EXTENSION OF AMERICAN BANKING IN, **36**: 502-10.
- FOREIGN COUNTRIES, AMERICAN CITIES IN, **54**: 236-42.
- FOREIGN COUNTRIES, UTILIZATION OF BANK RESERVES IN THE UNITED STATES AND, **36**: 523-37.
- FOREIGN COUNTRIES, ATTITUDE OF, TOWARD LIABILITY AND COMPENSATION, **38**: 241-5.
- Foreign exchange, **14**: 188. *See* Exchanges.
- investments, *see* Investments.
- loans, **17**: 567; **60**: 108.
- markets, **60**: 43-4, 49-50.
- FOREIGN MARKETS, AMERICAN MANUFACTURES AND, **29**: 515-21.
- Foreign missions, **16**: 332. *See* Church.
- FOREIGN MISSIONS, MODERN PRINCIPLES OF, **30**: 461-72.
- Foreign policies, **13**: Sup. M., '99, 216; **54**: 124-9, 282-94; **60**: 141.
- FOREIGN POLICY, THE ELEMENTS OF A CONSTRUCTIVE AMERICAN, **54**: 282-94.
- FOREIGN POLICY, THE, OF THE UNITED STATES, **54**: 277-81.
- FOREIGN POLICY OF THE UNITED STATES, THE MONROE DOCTRINE AND THE, IN THE WESTERN HEMISPHERE, **54**: 124-9.
- FOREIGN POLICIES OF THE UNITED STATES, POLITICAL AND COMMERCIAL, **13**: Sup. M., '99.
- FOREIGN RAILWAY EVENTS IN 1902-03, **23**: 121-40.
- Foreign relations, **7**: 398; **14**: 87; **60**: 164-6.
- representatives, **60**: 100.
- teachers, **39**: 95. *See* Teachers.
- trade: **17**: 21, 390-2; **23**: 84-104; **29**: 441-9, 528, 530; **34**: 563-8; **36**: 492-550; **39**: 168; **55**: 3, 48-74, 243; **59**: 291-300, 321-2, 327, 330; **60**: 17-21, 35-9, 41, 140; **63**: 195; Buenos Aires, **61**: 57; cooperation, **60**: 42-3; **61**: 63-4, 76; European war, **60**: 8-9; Federal Reserve Law, **59**: 327; Federal Trade Commission, **63**: 67-8; Great Britain, **60**: 2; Latin America, **60**: 72-97; Porto Rico, **19**: 377-82; **55**: 70; rate agreements, **55**: 155-63; reciprocity, **29**: 466; **33**: 310-14; regulation, **32**: 157; South America, **59**: 311-12, 316-20; trusts, **16**: 362. *See* Commerce, Trade.
- FOREIGN TRADE, BRANCH BANKS AND OUR, **59**: 301-8.
- FOREIGN TRADE, THE ATTITUDE OF BUSINESS TOWARDS, **59**: 291-300.
- FOREIGN TRADE, COÖPERATIVE PIONEERING AND GUARANTEEING IN THE, **59**: 321-32.
- FOREIGN TRADE, DEVELOPMENT OF THE, OF THE UNITED STATES, **29**: 441-9.
- FOREIGN TRADE, SOME AGENCIES FOR THE EXTENSION OF OUR DOMESTIC AND, **24**: 1-14.
- FOREIGN TRADE, THE DEVELOPMENT OF OUR, UNDER THE FEDERAL RESERVE ACT, **63**: 132-41.
- FOREIGN TRADE, FINANCING OUR, **36**: 492-501.
- FOREIGN TRADE, THE FUTURE OF AMERICA'S, **60**: 17-21.
- FOREIGN TRADE. AMERICAN MANUFACTURES AND FOREIGN MARKETS, **29**: 515-21.
- FOREIGN TRADE, RECIPROCITY AND ITS RELATION TO, **29**: 466-9.
- FOREIGN TRADE, ADVANTAGES AND DISADVANTAGES OF SHIPPING CONFERENCES AND AGREEMENTS IN THE AMERICAN, **55**: 243-51.
- FOREIGN TRADE WITH SOUTH AMERICA, THE UNITED STATES' OPPORTUNITY TO INCREASE ITS, **59**: 316-20.
- FOREIGN TRADE, HISTORICAL DEVELOPMENT OF STEAMSHIP AGREEMENTS AND CONFERENCE IN THE AMERICAN, **55**: 48-74.
- FOREIGN TRADE, STEAMSHIP LINE AGREEMENTS AND AFFILIATIONS IN THE AMERICAN DOMESTIC AND, **55**: 75-111.
- FOREIGN TRADE, TARIFFS, RECIPROCITY AND, **29**: M., '07.
- FOREIGN TRADE OF THE UNITED KINGDOM, MAIN FEATURES OF THE PRESENT, **23**: 84-104.
- FOREIGN TRADE OF THE UNITED STATES, TARIFF PROVISIONS FOR PROMOTION OF, **29**: 498-514.
- FOREIGN TRADE, THE TARIFF AND OUR, IN ELECTRICAL APPARATUS, **29**: 542-52.
- FOREIGN TRADE, THE TARIFF AND OUR, IN MEATS, **29**: 537-41.
- FOREIGN TRADE CONDITIONS, THE FEDERAL TRADE COMMISSION'S INVESTIGATION OF, **63**: 67-8.
- FOREIGN TRADE RELATIONS, RECIPROCITY IN OUR, **32**: 310-14.
- Foreigners, **9**: 62; **12**: 168; **29**: Sup. Mch., '07, 7-24. *See* Aliens, Immigrants.
- FOREMAN, MILTON J. Chicago New Charter Movement—Its Relation to Municipal Ownership, **31**: 639-48.
- Foreman of jury, **52**: 37, 39, 40, 42.
- DE FOREST, ROBERT W. A Brief History of the Housing Movement in America, **51**: 8-16; Recent Progress in Tenement-House Reform, **23**: 297-310.
- Forests: **31**: 7, 219-27; **33**: 497-509; **35**: 231; **41**: Sup. M., '12, 3; **59**: 18-20; commercial, **41**: Sup. M., '12, 12; irrigation, **31**: 221; Michigan, **35**: 260; Minnesota, **41**: Sup. M., '12, 11; national, **35**: 218-21; **63**: 244-54; Pennsylvania, **35**: 252; private, **33**: 487-96; recreation, **35**: 241; regulation, **33**: 497; resources, **35**: 67-76; water power, **63**: 244-54; women's clubs, **28**: 246.
- FORESTS, NATIONAL, AS RECREATION GROUNDS, **35**: 241-7.
- FORESTS, NATIONAL, WATER-POWER DEVELOPMENT ON THE, AND PROPOSED NEW LEGISLATION, **63**: 244-54.
- FORESTS, PUBLIC REGULATION OF PRIVATE, **33**: 497-509.
- FORESTS, CAN THE STATES REGULATE PRIVATE, **33**: 510-17.
- FOREST RESOURCES AND CONSERVATION, **35**: 67-76.
- FORESTS, STATE OF MICHIGAN, **35**: 260-5.
- FORESTS, THE RELATION OF, TO STREAM CONTROL, **31**: 219-27.
- FOREST POLICY OF TYPICAL STATES—NEW YORK, **35**: 248-51.
- FORESTRY POLICY OF TYPICAL STATES—PENNSYLVANIA, **35**: 252-9.
- FORESTRY ON PRIVATE LANDS, **33**: 487-96.
- FORSYTH, RALPH KENDALL. The Wage Scale Agreements of the Maritime Unions, **36**: 349-65.
- Fortunes, **59**: 107.



- FOSS, EUGENE N. American Manufactures and Foreign Markets, **29**: 515-21; Reform through Labor, **46**: 35-9.
- FOSTER, FLORENCE J. The Grange and the Coöperative Enterprises in New England, **4**: 798-805.
- FOULKE, W. D. The Civil Service and our New Dependencies, **19**: 340-50.
- FOUSE, L. G. Policy Contracts in Life Insurance, **26**: 209-28; Recent Developments in the Life Insurance Business, **34**: 578-83; State Regulation of Insurance, **24**: 67-83; The Life Insurance Profession, **28**: 70-81; The Organization and Management of the Agency System, **26**: 243-55.
- FOX, AUSTEN G. Mexico, **54**: 183-5.
- FOX, HUGH F. The Prosperity of the Brewing Industry, **34**: 485-95; Child Labor in New Jersey, **20**: 191-9; The Operation of the New Child Labor Law in New Jersey, **25**: 522-41; The Saloon Problem, **32**: 531-8.
- FOX, JOHN P. Relation Between Transit and Housing, **51**: 154-61.
- FRAME, ANDREW J. Diagnosis of the World's Elastic Currency Problems, **31**: 377-97; State and Federal Control of Banks, **36**: 693-7.
- France: **1**: Sup. Mch., '91, 43-5, 55; **4**: 1-133, 1005-8; **6**: 12, 37, 46, 54, 59; **11**: 24-43; **12**: 185, 450; **14**: 194; **16**: 165; **17**: 173-7, 538-9; **18**: 370, 372, 565; **19**: 329; **20**: 655; **23**: 121-40; **55**: 77; alcoholism, **6**: 352; banks, **8**: 478; **11**: 47; **36**: 527; budgets, **62**: 204-10; Catholic economists, **4**: 28; centralization and decentralization, **11**: 24; charity, **6**: 352; cities, *see* French cities; civil code, **30**: Sup. S., '07, 136; constitution, **3**: Sup. Mch., '93, 9-18, 78; **6**: 1-78; coöperation, **51**: 6; coöperative credit, **46**: 173; coöperative societies, **51**: 6; cost of living, **12**: 257; credit, **60**: 134; employment, **12**: 252; foreign investments, **61**: 61; higher education, **4**: 22; labor, **12**: 250; land, **12**: 799; militarism, **13**: Sup. M., '99, 81; money, **4**: 493-4, 497, 503; municipal trading, **17**: 539; parole system, **20**: 365; penal code, **18**: 565; philosophers, **4**: Sup. Mch., '94, 13-14; political economy, **4**: Sup. Mch., '94, 50-1, 70-82, 119, 125-6, 129-32; population, **13**: 5; presidential powers, **6**: 56; railways, **11**: 325; **59**: 273-4; reciprocity, **19**: 188; revolution, *see* French Revolution; social reform, **4**: Sup. Mch., '94, 130; socialism, **8**: 428; **17**: 537-9; suffrage, **6**: 17; tariff, **29**: 524; **32**: 395; transportation, **11**: 325; universities, *see* French universities; vagabondage, **12**: 450; wages, **12**: 252; **18**: 370; **33**: 407-19; waterways, **4**: Sup. S., '93, 41-2, 103; **59**: 273-4.
- FRANCE, ADMINISTRATIVE CENTRALIZATION AND DECENTRALIZATION IN, **11**: 24-43.
- FRANCE, DEVELOPMENT OF THE PRESENT CONSTITUTION OF, **6**: 1-78.
- FRANCE, CONSTITUTIONAL AND ORGANIC LAWS OF, 1875-1889, **3**: Sup. Mch., '93.
- FRANCE, PROGRESS OF ECONOMIC IDEAS IN, **4**: 1-33.
- FRANCE, LABOR AND WAGES IN, **33**: 407-19.
- Franchises: **4**: 214; **7**: 424-5; **11**: 186; **14**: 310, 312; **15**: Sup. M., '00, '14; **21**: 122-4, 278-9; **29**: 352-6; **29**: Sup. Mch., '07, 23, 56-8; **30**: Sup. S., '07, 68; **38**: 703, 783; **53**: 1, 46, 91, 77, 135-6, 139, 145; **57**: 127-8; **58**: 144, 190; Boston, **9**: 155; **11**: 284; Buffalo, **22**: 528; California, **10**: 477; Chicago, **53**: 138; Cleveland, **14**: 380; **17**: 353; corporation, **57**: 207; Denmark, **23**: 174; Denver, **23**: 174; District of Columbia, **53**: 137; electric company, **57**: 35; electric railway, **37**: 145; gas, **14**: 141-262; **57**: 35; Great Britain, **57**: 195-6; indeterminate, **15**: Sup. M., '00, 68; **53**: 12, 46, 75-6, 135-47; **57**: 9; Indianapolis, **14**: 145; limited, **53**: 77; Los Angeles, **53**: 110, 115; Massachusetts, **27**: 91; Minneapolis, **57**: 74; Missouri, **17**: 468; New Jersey, **53**: 76; New Orleans, **19**: 493; New York City, **31**: 612; Pennsylvania, **13**: 412; perpetual, **53**: 80; **57**: 139; Philadelphia, **19**: 491; Porto Rico, **18**: 383-6; Providence, **18**: 548; public ownership, **14**: 310-26; railway, **22**: 527-8; regulations, **14**: 312; sales of, **14**: 313; short term, **15**: Sup. M., '00, 69; **57**: 139; St. Louis, **22**: 527; street railway, **7**: 145; **10**: 291; **12**: 105; **13**: 276; **14**: 38; **17**: 353-4; **53**: 50; tax, **14**: 136, 173; **15**: 471, 472; **58**: 145-6; taxation, **30**: Sup. S., '07, 64-81; Texas, **14**: 136; unlimited, **15**: Sup. M., '00, 65; **53**: 80; valuation, **14**: 321; **30**: Sup. S., '07, 71; **53**: 195-7, 215, *see* Valuation; Washington, **9**: 298; **11**: 426, 430; Wisconsin, **53**: 12, 75-6. *See* Street railways, Electricity, Water, Public utilities.
- FRANCHISE GRANTS IN NEW YORK CITY, **31**: 612-18.
- FRANCHISE, EFFECTS OF THE INDETERMINATE, UNDER STATE REGULATION, **53**: 135-47.
- FRANCHISE, THE INDETERMINATE PERMIT AS A SATISFACTORY, **37**: 142-59.
- FRANCHISES OR MONOPOLIES? THEIR PUBLIC OWNERSHIP AND OPERATION, **14**: 310-26.
- FRANCHISE PROVISIONS IN COMMISSION CHARTERS AND STATUTES, **38**: 783-97.
- FRANCHISE LEGISLATION IN MISSOURI, **17**: 469-72.
- FRANCHISES, SHOULD PUBLIC, BE TREATED AS CORPORATE PROPERTY? **29**: 352-6.
- FRANCHISES, STREET RAILWAY, IN MASSACHUSETTS, **27**: 91-110.
- FRANCHISE TAX, TAXATION OF QUASI-PUBLIC CORPORATIONS IN THE STATE OF OHIO AND THE, **14**: 157-80.
- Francis I, **1**: Sup. Mch., '91, 29.
- FRANKEL, LEE K. Attitude of Foreign Countries Toward Liability and Compensation, **38**: 241-5; Jewish Charities, **21**: 389-406.
- Frankfort, **8**: 595; **17**: 548; **27**: 40; **50**: 161.
- FRANKFURTER, FELIX. The Utilities Bureau, **57**: 293-4.
- FRANKLIN, P. A. S. Rate Agreements between Carriers in the Foreign Trade, **55**: 155-63.
- Frantz, A., **1**: Sup. Mch., '91, 53, 93.
- Fraternal insurance, *see* Insurance.
- FRATERNAL INSURANCE IN THE UNITED STATES, **17**: 260-86.
- FRATERNAL LIFE INSURANCE, **26**: 308-16.
- FRATERNAL ORDERS, LIFE INSURANCE BY, **24**: 475-88.



- Fraternalism, **42**: 208.  
 Frederick II., **1**: Sup. Mch., '91, 9, 18, 27, 46;  
**4**: Sup. Mch., '94, 15.  
 Frederick the Great, **1**: Sup. Mch., '91, 27-8.  
 FRIEDRIKSEN, D. M. Mortgage Banking  
 in Russia, **5**: 242-56.  
 Free coinage, **3**: 544; **4**: 111; **14**: 334, see Coin-  
 age, Money.  
 FREE COINAGE, SILVER, AND THE LEGAL  
 TENDER DECISIONS, **9**: 198-211.  
 Free Institutions, see Democracy, Federal  
 government, Liberty, Representation.  
 — port: **54**: 236; **59**: 236-44.  
 FREE PORT, THE, AN AGENCY FOR THE  
 DEVELOPMENT OF AMERICAN COMMERCE,  
**59**: 236-44.  
 Free seas, **61**: 265.  
 FREE SPEECH AND THE INJUNCTION ORDER,  
**36**: 255-64.  
 Free trade: **4**: Sup. Mch., '94, 17; **60**: 226-7;  
 Cuba, **15**: Sup. M., '00, 181, 182; England,  
**61**: 265.  
 Freedman's Bureau, creation of, **49**: 209.  
 Freedom, equal, **4**: 593.  
 FREEDOM, FIFTY YEARS OF. CONDITIONS IN  
 THE SEA COAST REGIONS, **49**: 58-66.  
 Freeholders, Board of, **47**: 9.  
 FREEMAN, ALBERT T. The Labor System  
 of the John B. Stetson Company, **22**:  
 445-50.  
 FREIBERG, DR. ALBERT H. Ohio Child  
 Labor Committee, **32**: Sup. Jy., '08, 140-1;  
 Factory Labor, Some Effects of, Improper  
 Posture in, **33**: Sup. Mch., '09, 104-10;  
 Ohio Child Labor Committee, **33**: Sup.  
 Mch., '09, 190-1; **35**: Sup. Mch., '10, 182-3;  
**38**: Sup. Jy., '11, 177-8; Some of the Ulti-  
 mate Physical Effects of Premature Toil,  
**29**: 19-25.  
 Freight: agreements, **55**: 157; canals, **4**: Sup.  
 S., '93, 74-6; charges, **9**: 108; conferences,  
**55**: 129-43; earnings, **4**: Sup. S., '93, 56;  
 fast, **50**: 15, 17; perishable, **50**: 16; pooling,  
**29**: 260; preference, **50**: 15-16; rates, **4**:  
 Sup. S., '93, 77; **11**: 324-52; **29**: 325, 332;  
**48**: 145; **50**: 4-67; **60**: 31, 99-100; receipts,  
**48**: 199; service, **50**: 7; **51**: 205; **63**: 225-6;  
 steam, **4**: Sup. S., '93, 78; traffic, **48**: 217;  
**55**: 57. See Railroads, Transportation.  
 FREIGHT CARS, THE POOLING OF, **29**: 260-5.  
 FREIGHT CARS, THE PRESENT SUPPLY OF,  
**34**: 592-601.  
 FREIGHT TRAFFIC, POSSIBILITIES OF, ON  
 INTERURBAN LINES, **37**: 68-77.  
 French-Canadians, **45**: 69, 70, 87, 89, 90,  
 92, 93, 95.  
 FRENCH CANADIAN RACE, THE GROWTH OF  
 THE, IN AMERICA, **8**: 213-35.  
 French cities, **62**: 205-7, 209-10.  
 FRENCH CITIES, THE BUDGET PROCEDURE OF  
 ENGLISH AND, **62**: 204-10.  
 French Revolution, **1**: Sup. Mch., '91, 42-3;  
**2**: 772; **4**: Sup. Mch., '94, 30; **13**: Sup.  
 M., '99, 85.  
 FRENCH REVOLUTION, ROUSSEAU AND THE,  
**10**: 54-72.  
 FRENCH UNIVERSITIES, INSTRUCTION IN,  
**2**: 494-517.  
 FRENYEAR, T. C. The Ethics of Stock  
 Watering, **8**: 509-14.  
 FRESH AIR WORK, **23**: 464-71.  
 FREY, JOHN P. The Trade-Union Attitude  
 Towards Prison Labor, **46**: 132-7.  
 Friars' Lands, **20**: 466-9; **23**: 406; **24**: 428.  
 Friendly and Provident societies, **14**: 392.  
 FRISSELL, A. S. Trust Companies and  
 Reserves, **31**: 463-9.  
 FROST, EDWARD W. Relation of National  
 Child Labor Committee to State and  
 Local Committees, **35**: Sup. Mch., '10,  
 155-9; Wisconsin Child Labor Committee,  
**32**: Sup. Jy., '08, 144-6; The Operation of  
 the Wisconsin Child Labor Law, **27**: 357-60;  
 Wisconsin Child Labor Committee, **33**:  
 Sup. Mch., '09, 195-6; Wisconsin Child  
 Labor Committee, **35**: Sup. Mch., '10,  
 190-2.  
 Fruit, **8**: 312; **35**: 168; **40**: 63; **50**: 5, 97.  
 Frye, William P., **4**: Sup. S., '93, 10-11, 134.  
 FULLER, GEORGE W. Elements to be  
 Considered in Fixing Water Rates, **53**:  
 251-61.  
 FULLER, MARTHA J. Publicity as a Preven-  
 tive of Abuses by the Retailer, **50**: 83-5.  
 FULLER, PAUL. Neutral Rights and Oblig-  
 ations of American Republics, **60**: 155-67.  
 FULLERTON, H. B. The Long Island Home  
 Hamper, **50**: 166-70.  
 FULTON, ROBERT B. Educational Progress  
 in Mississippi, **22**: 304-9.  
 FURUSETH, ANDREW. Use and Abuse of  
 Injunctions in Trade Disputes, **36**: 137-41.  
 GAGE, LYMAN J. The Obstacles to Currency  
 Reform, **31**: 454-9.  
 Gain sharing, **6**: 571. See profit sharing.  
 GALBREATH, C. B. Provisions for State-  
 Wide Initiative and Referendum, **43**:  
 81-109.  
 Galveston: **41**: 218; commission government,  
**38**: 686, 891-900.  
 GALVESTON'S COMMISSION PLAN OF CITY  
 GOVERNMENT, **38**: 891-900.  
 Gaming, **18**: 386.  
 GANNETT, HENRY. Farm Tenure in the  
 United States, **33**: 647-57.  
 GANS, HOWARD S. The Public Prosecutor:  
 His Powers, Temptations and Limitations,  
**47**: 120-33.  
 GANTT, H. L. The Effect of Idle Plant  
 on Costs and Profits, **61**: 86-9.  
*Garantien der Harmonie und Freiheit*, **4**: Sup.  
 Mch., '94, 82.  
 Garbage, **37**: 387; **41**: 291.  
 Garden cities, **51**: 6, 54, 69, 72, 74, 141, 169,  
 187, 198.  
 Garden City Association, **59**: 284-5.  
 GARDNER, C. O. The Initiative and Referen-  
 dum in Commission Cities, **38**: 823-32;  
 The Scope of the Sherman Act: The  
 Intention of its Framers, **42**: 340-1.  
 GARFIELD, JAMES R. Publicity in Affairs of  
 Industrial Combinations, **42**: 140-6.  
 GARNER, J. W. Crime and Judicial In-  
 efficiency, **29**: 601-18; The Northern  
 Securities Case, **24**: 123-47; New Politics  
 for the South, **35**: 172-83.  
 Garnier, Germain, **4**: Sup. Mch., '94, 34.  
 Garnier, Joseph, **4**: Sup. Mch., '94, 50.  
 Gas: **9**: 301; **15**: 347; **15**: Sup. Mch., '00,  
 31, 33-59; **21**: 322-4; **27**: 111, 200, 210;  
**31**: 593; **41**: 78; **53**: 50, 101, 265, 269-84;

- 57: 204; Berlin, 12: 156; Boston, 11: 280; 15: Sup. M., '00, 50; 31: 593-9; Brooklyn, 7: 150; 11: 116; Buffalo, 11: 122; 12: 447; Chicago, 27: 202; Cincinnati, 14: 141-262; Cleveland, 9: 301; 27: 208; Detroit, 57: 79; District of Columbia, 27: 215; Duluth, 21: 322-4; 27: 224; 53: 101; English cities, 10: 132; Glasgow, 7: 359; 8: 583; Grand Rapids, 27: 220; Great Britain, 57: 203-4; Indianapolis, 57: 76; inspection, 53: 282; lamps, 57: 42; Madrid, 27: 124; Massachusetts, 12: 304; 16: 318; 53: 232; meters, 53: 289; Milwaukee, 27: 213; New Orleans, 27: 211; New York City, 27: 111-19, 200; 41: 16, 78, 84, 94; Newark, 27: 217; over capitalization, 53: 42; Pennsylvania, 53: 50; Philadelphia, 7: 150; 8: 193; 10: 132, 473; 11: 117, 301-23; Providence, 27: 218; rates, 53: 13, 98, 99, 262, 276, 282; regulation, 37: 178; 53: 269, 278; 57: 91; Seattle, 27: 222; securities, 25: 106; St. Louis, 27: 206; St. Paul, 27: 220; Superior, 21: 322-4; Wisconsin, 53: 98-265; 57: 125. *See* Franchises, Lighting.
- GAS AND ELECTRIC LIGHT SERVICE, THE RELATION OF THE AMERICAN MUNICIPALITIES TO THE, 27: 200-31.
- GAS AND ELECTRIC LIGHT SUPPLY OF LONDON, THE WATER, 27: 20-36.
- GAS AND ELECTRICITY, ECONOMY AND EFFICIENCY IN THE DEPARTMENT OF WATER SUPPLY, OF NEW YORK CITY, 41: 78-85.
- GAS, ELECTRIC LIGHT, WATER AND STREET RAILWAY SERVICES IN NEW YORK CITY, THE, 27: 111-31.
- GAS COMPANY, THE BOSTON CONSOLIDATED: ITS RELATION TO THE PUBLIC, ITS EMPLOYEES, AND INVESTORS, 31: 593-9.
- GAS COMPANIES, DIFFICULTIES OF CONTROL AS ILLUSTRATED IN THE HISTORY OF, 15: Sup. M., '00, 31-59.
- GAS COMPANIES. THE STATE AND THE LIGHTING CORPORATIONS, 2: 707-15.
- GAS DEPARTMENT. ECONOMY AND EFFICIENCY IN THE DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, NEW YORK, 41: 78-85.
- GAS SERVICE, REGULATIONS FOR, 53: 269-77.
- GAS SERVICE, SOME NOTES ON THE REGULATION OF, 53: 278-84.
- GAS SUPPLY, THE MUNICIPALITY AND THE, 11: 301-23.
- Gawe, Christian, 4: Sup. Mch., '94, 33.
- GEDDES, PATRICK. City Deterioration and the Need of City Survey, 34: 54-67.
- GEISER, KARL F. The German Municipal Budget and its Relation to the General Government, 62: 192-203.
- Geist des römischen Rechts, 4: Sup. Mch., '94, 60.
- Geld und Credit, 4: Sup. Mch., '94, 115.
- GELLING, B. R. The Municipal Institutions of Australia, 23: 255-67.
- GEMMILL, WILLIAM N. Chicago Court of Domestic Relations, 52: 115-23.
- GENERAL ELECTRIC COMPANY, THE APPRENTICESHIP SYSTEM OF THE, at WEST LYNN, MASSACHUSETTS, 33: 141-50.
- General Federation of Women's Clubs, The, 46: 17; 56: 78, 80, 108.
- GENERAL FEDERATION OF WOMEN'S CLUBS, THE WORK OF THE, AGAINST CHILD LABOR, 25: 516-21.
- GENERAL FEDERATION OF WOMEN'S CLUBS, REPORT OF THE CIVIC COMMITTEE OF THE, 28: 293-5.
- GENERAL FEDERATION OF WOMEN'S CLUBS, THE EIGHTH BIENNIAL CONVENTION OF THE, 28: 277-92.
- General manager, *see* Commission government.
- GENERAL MANAGER, MUNICIPAL GOVERNMENT ADMINISTERED BY A,—THE STAUNTON PLAN, 38: 877-83.
- Geneva, 6: 374.
- Gentz, F., 4: Sup. Mch., '94, 60.
- George, Henry, 4: Sup. Mch., '94, 89-90, 98-9, 109; 44: Sup. N., '12, 2, 35.
- GEORGE, RALPH E. Assessed vs. Real Values of Real Estate in Pennsylvania, 58: 158-67.
- GEORGE JUNIOR REPUBLIC, 10: 73-86.
- Georgia: 29: Sup. Mch., '07, 38, 41, 75; 53: 58; child labor, 29: 160-3; 35: Sup. Mch., '10, 60; commissioners, 53: 6, 20, 143; cypress, 41: Sup. M., '12, 12; fee system, 21: 327; negro, 49: 74; population, 1: Sup. F., '91, 3; representation, 16: 93; state banks, 36: 630; State Industrial College, 49: 212; tax commission, 58: 121.
- GEORGIA, LOCAL OPTION AND ITS RESULTS IN OHIO AND. *See* Local Option, 32: 476-81.
- German Verein für Sozial Politik, 6: 163.
- Germany: 3: 9, 78, 353, 789-91; 4: 61-81; 4: Sup. S., '93, 45, 90, 96, 115-16; 4: Sup. Mch., '94, 100, 112-13, 125-6; 14: 73-93; 17: 558; 23: 55-83, 176-7; 25: 328-34; 33: 703-6; 35: Sup. J., '10, 4, 7-14; 42: 45, 76, 125, 159, 168, 169, 172, 183, 201, 207, 245, 267; 43: 68; 44: 14; 44: Sup. N., '12, 2, 13-14, 32; 50: 155, 165; 55: 77; 59: 330; 60: 35-7; 62: 192-203; auction, 50: 163; bank, 36: 529; Bavaria, 14: 78, 91; budgets, 62: 195-7, 201; Bundesrath, 7: 404; business houses, 61: 57; canals, 4: Sup. S., '93, 44-5, 88-9; charities, 18: 567; civil service 15: 350; 20: 469-71; colonial government, 19: 162; colonial policy, 17: 558; colonies 19: 162-3, 328-9; 20: 469-71; combinations, 42: 183-201; commerce, 24: 525-39; 59: 325; 60: 1; constitution, 3: 785-809; constitutional government, 35: Sup. J., '10, 4; coöperation, 40: 61; 59: 330; 63: 284; courts, 36: 445-52; credit, 60: 134; Customs Union, 1: Sup. Mch., '91, 59; economic theory, 44: 15; education, 1: 78-102, 272-88; 35: Sup. J., '10, 41; emigration, 35: Sup. J., '10, 13; emperor, 14: 73-93; 35: Sup. J., '10, 3, 5; employment, 14: 151-2; 61: 138-9; European war, 61: 46; 62: 215-16; evolution, 44: 2; export methods, 61: 53; exports, 61: 54; foodstuffs, 60: 37; foreign relations, 14: 87; foreign trade, 60: 2, 39-40; free ports, 59: 237; historical research, 4: Sup. Mch., '94, 100; hosiery, 34: 540; illness insurance, 48: 6; Imperial Chancellor, 3: 803; imports, 60: 190-1; income tax, 58: 77; industrial disputes, 36: 445; industrial insurance, 38: 27; industrial

- situation, **60**: 37; inheritance tax, **62**: 195; invalidity, **59**: Sup. M., '15, 15-16; investments, **60**: 61; journalism, **35**: Sup. J., '10, 8; Landschaften, **46**: 171; legislation, **14**: 88; manufacturing, **35**: Sup. J., '10, 4; markets, **50**: 153-65; meats, **29**: 539; middlemen, **50**: 155; monetary instruction, **4**: 61-81; Monroe Doctrine, **60**: 162; municipal ownership, **27**: 37-65; **57**: 205-6; paper money, **4**: 63; penal code, **18**: 565; pensions, **38**: 89; political economy, **4**: Sup. Mch., '94; population, **13**: 6; railroads, **4**: Sup. S., '93, 45-6; railways, **19**: 84; **24**: 536-8; **59**: 273-4; reciprocity, **23**: 69-70; revolution of 1848, **44**: Sup. N., '12, 20; schools, **1**: 520-5; socialism, **44**: Sup. N., '12, 15; South West Africa, **23**: 574; state insurance, **3**: 78, 353; steamship companies, **55**: 55, 68; street railways, **27**: 37-65; **57**: 206; tariff, **29**: 523; **32**: 313, 397; **59**: 237; taxation, **62**: 199; trade, **29**: 453; **60**: 35, 38, 195-6; **61**: 67; trade unions, **8**: 420; unemployment, **61**: 46-7; universities, **1**: 78-102, 272-88; waterways, **4**: Sup. S., '93, 44; **31**: 246-62; **59**: 273-4; workmen's compensation, **38**: 181; **44**: 11; zoning system, **51**: 171.
- GERMAN COURTS FOR THE ARBITRATION OF INDUSTRIAL DISPUTES, THE, **36**: 445-52.
- GERMAN ECONOMIC ASSOCIATION, **1**: 515-20.
- GERMAN EMPEROR, THE CONSTITUTIONAL POSITION OF THE, **14**: 73-93.
- GERMAN GOVERNMENT, ATTITUDE OF GERMAN PEOPLE AND GOVERNMENT TOWARDS TRUSTS, **42**: 172-82.
- GERMAN INLAND WATERWAYS, PRESENT SIGNIFICANCE OF, **31**: 246-61.
- GERMAN MUNICIPAL BUDGET, THE, AND ITS RELATION TO THE GENERAL GOVERNMENT **62**: 192-203.
- GERMAN STÄDTETAG, THE, **31**: 703-6.
- GERMAN TECHNICAL SCHOOLS, ECONOMICS IN, **1**: 520-4.
- GERMAN UNIVERSITIES, INSTRUCTION IN PUBLIC LAW AND POLITICAL ECONOMY IN, **1**: 78-102, 272-88.
- GERMAN AND AMERICAN POLICIES, **60**: 195-6.
- GERMANY AND AUSTRIA, TRADE POSSIBILITIES IN, **60**: 35-8.
- GERMANY, ENGLAND, CANADA AND THE UNITED STATES, POLICIES OF, TOWARDS COMBINATIONS, **42**: 183-201.
- GERMANY, RELATION OF GOVERNMENT IN TO THE PROMOTION OF COMMERCE, **24**: 525-39.
- GERMANY, THE JUDICIAL OFFICE IN, **25**: 328-34.
- GERMANY, MONETARY SITUATION IN, **4**: 61-81.
- GERMANY, MUNICIPAL OWNERSHIP AND OPERATION OF STREET RAILWAYS IN, **27**: 37-65.
- GERMANY, INSTRUCTION IN PUBLIC LAW AND ECONOMICS IN, **1**: 78-102.
- GERMANY, INSTRUCTION IN PUBLIC LAW AND ECONOMICS IN, II, **1**: 272-88.
- GERMANY, WHOLESALE TERMINAL MARKETS IN, AND THEIR EFFECT ON FOOD COSTS AND CONSERVATION, **50**: 153-65.
- GERMANY, THE DEVELOPMENT OF, AS A WORLD POWER, **35**: Sup. J., '10.
- Gerrylander, **2**: 700.
- Geschichte der deutschen Kleingewerbe im neunzehnten Jahrhundert*, **4**: Sup. Mch., '94, 121.
- Geschichte der englischen Volkswirtschaftslehre*, **4**: Sup. Mch., '94, 114.
- Geschichte der Nationalökonomie*, **4**: Sup. Mch., '94, 114.
- Geschichte der Wissenschaften in Deutschland*, **4**: Sup. Mch., '94, 114.
- Geschlossener Handelsstaat*, **4**: Sup. Mch., '94, 83-5.
- Gesetzmässigkeit in den scheinbar willkürlichen Handlungen*, **4**: Sup. Mch., '94, 120.
- Ghent, **2**: 699.
- GIBB, J. BURNETT. The Calculation of Life Office Premiums, **26**: 229-42.
- GIBSON, CARLETON B. Secondary Industrial School of Columbus, Georgia, **33**: 42-9.
- GIBSON, THOMAS. The Securities Market as an Index of Business Conditions, **34**: 439-44; Influences Affecting Security Prices and Values, **35**: 627-35.
- GIDDINGS, F. H. Utility, Economics and Sociology, **5**: 398-404; Sociology and the Abstract Sciences, **5**: 746-53; The Province of Sociology, **1**: 66-77; The Theory of Sociology, **5**: Sup. Jy., '94. See also **44**: Sup. N., '12, 4-5.
- GIESECKE, ALBERT A. Public Instruction in Peru, **37**: 663-82.
- GILBERTSON, H. S. The City-Manager Plan and Expert City Management; Elements of the County Problem, **47**: 3-13; Popular Control Under the Recall, **38**: 833-8; The Recall—Its Provisions and Significance, **43**: 216-26.
- GILBRETH, FRANK B. Motion Study as an Increase of National Wealth, **59**: 96-103.
- GILBRETH, FRANK B. AND LILLIAN MOLLER. What Scientific Management Means to America's Industrial Position, **61**: 208-16.
- GILLETTE, CASSIUS E. Mexico: Its People and Its Problem, **54**: 201-10.
- GILLETTE, HALBERT POWERS. Non-Physical or Going Concern Values, **53**: 214-18.
- GILLETTE, JOHN M. Conditions and Needs of Country Life, **40**: 3-11.
- GILMAN, CHARLOTTE PERKINS. The Waste of Private Housekeeping, **48**: 91-5.
- Girls, see Children, Child labor, Delinquents.
- GIRLS, CAUSES OF DELINQUENCY AMONG, **36**: 77-9.
- GIRLS, THE EMPLOYMENT OF, IN TEXTILE INDUSTRIES OF PENNSYLVANIA, **23**: 434-44.
- GIRLS' TRADE SCHOOL, THE RELATIVE VALUE AND COST OF VARIOUS TRADES IN A, **33**: 127-40.
- Gladstone, William E., **4**: Sup. S., '93, 50.
- Glasgow: **7**: 359, 511; **8**: 582; **9**: 304; **11**: 430; **18**: 563; **55**: 62; **57**: 196; diseases, **29**: 184; gas, **7**: 359; **8**: 583; housing, **8**: 578; municipal ownership, **27**: 1-19; slums, **8**: 578; state banks, **36**: 696; street railways, **6**: 1.

<sup>1</sup> See footnote, p. 27.

- 179; 7: 511; 8: 582; 9: 304; 57: 270; taxation, 11: 430; 15: Sup. M., '00, 9; water, 8: 583.
- GLASGOW'S EXPERIENCE WITH MUNICIPAL OWNERSHIP AND OPERATION, 27: 1-19.
- Glass industry, 15: 485; 27: 11, 300; 29: 77-83, 127; 42: 6.
- GLASS BOTTLE INDUSTRY, LENGTH OF THE TRADE LIFE IN THE, 27: 496-9.
- GLASS INDUSTRY, CHILD LABOR IN THE, 27: 300-11.
- GLASS INDUSTRY AND CHILD LABOR LEGISLATION, THE, 38: Sup. Jy., '11, 123-32.
- GLASS WORKS OF ILLINOIS, CHILDREN IN THE, 29: 77-83.
- GLASSON, WILLIAM H. Economic Needs of the South, 35: 165-71; The State Military Pension System of Tennessee, 18: 485-8; The National Pension System as applied to the Civil War and the War with Spain, 19: 204-26.
- GLENN, G. P. The Concentration of Schools and Transportation of Pupils, 22: 257-60.
- Gneist, Rudolf von, 7: 253-69.
- God, 29: Sup. Mch., '07, 14, 62, 63, 66-8.
- GODDARD, HENRY HERBERT. The Elimination of Feeble-Mindedness, 37: 505-16.
- GODFREY, HOLLIS. Attitude of Labor Towards Scientific Management, 44: 59-73.
- GODKIN, EDWIN L. The Problems of Municipal Government, 4: 857-82.
- GOEPP, PHILIP H. Music and Refreshments in Parks, 35: 386-92.
- Goethe, 4: Sup. Mch., '94, 60.
- Going value: 53: 195, 214-18, 235, 255; 57: 68, 157-8; New Jersey, 53: 194; Wisconsin, 53: 104, 193; 57: 158.
- GOING-CONCERN VALUES, NON-PHYSICAL OR, 53: 214-18.
- Gold: 3: 293-305; 4: 80; 11: 213; 14: 13-72; 16: 34; 42: 225; 48: 133; 59: 23; see Currency; China, 9: 359; Latin America, 37: 619.
- GOLD AND SILVER, THE RELATIVE STABILITY OF, 14: 38-72.
- GOLDEN, JOHN. Pay of Labor in New England Cotton Mills, 33: 301-6; Position of Labor Unions Regarding Industrial Education, 33: 185-7; Children in The Textile Industry, 35: Sup. Mch., '10, 42-6; Industrial Peace from the Standpoint of a Trade Unionist, 44: 141-8.
- GOLDMARK, JOSEPHINE C. Child Labor Legislation. Schedule of Existing Statutes and the Standard Child Labor Law, 29: Sup. J., '07; Child Labor Legislation. Schedule of Existing Statutes and the Standard Child Labor Law, 31: Sup. M., '08; Report of the Publication Committee of the National Consumers' League, Tenth Report for two years ended March 2, 1909, 34: Sup. Jy., '09, 41-5; Report of the Committee on Legislation and the Legal Defense of Labor Laws and Work of the National Consumers' League for Year ended March, 1910, 36: Sup. S., '10, 30-1; Report of the Committee on Publications, 45; Report of the Committee of the National Consumers' League on the Legislation and the Legal Defense of Labor Laws, 38: Sup. S., '11, 26-38; Report of the Committee on Publications, 43; Working Women and the Laws: A Record of Neglect, 28: 261-78.
- GOLDMARK, PAULINE. Child Labor in Canneries, 35: Sup. Mch., '10, 152-4.
- GOMME, G. The Relation of London to Quasi-Public Works, 25: 324-6.
- GOMPERS, SAMUEL. Organized Labor's Attitude Toward Child Labor, 27: 337-41; Limitations of Conciliation and Arbitration, 20: 29-34; European War Influences upon American Industry and Labor, 61: 4-10; Free Speech and the Injunction Order, 36: 255-64; Attitude of Labor Towards Government Regulation of Industry, 32: 75-81. See also 46: 137.
- GOOD ROADS MOVEMENT, 40: 51-7.
- GOOD ROADS MOVEMENT IN THE SOUTH, 35: 105-13.
- GOODRICH, E. P. Efficiency in Highway Administration with Special Reference to Pavements, 41: 115-26.
- GOODRICH, JAMES P. The Public Welfare and the Holding Company, 57: 323-34.
- GOODWIN, ELLIOT H. Civil Service Provisions in Commission Charters, 38: 808-15.
- GORDON, JEAN M. Child Labor on the Stage, 38: Sup. Jy., '11, 74-6; Child Labor. The Forward Step in Louisiana, 33: Sup. Mch., '09, 162-5; Why the Children are in the Factory, 32: Sup. Jy., '08, 67-71.
- GORE, T. P. The Foreign Policy of the United States, 54: 277-81.
- GOSNELL, E. R. British Columbia and British International Relations, 45: 1-19.
- GOTTHEIL, PAUL. Historical Development of Steamship Agreements and Conferences in the American Foreign Trade, 55: 48-74.
- Göttingischen Gelehrten Anzeigen, 4: Sup. Mch., '94, 31.
- Göttliche Ordnung in den Veränderungen des Menschlichen Geschlechts, 4: Sup. Mch., '94, 19.
- Government: 1: 191-202; 2: 302, 518-21, 653-65; 4: 598; 10: 324; 29: Sup. Mch., '07, 2, 26, 56, 86; 41: 25; 42: 238-45; 43: 287; 44: 19; 53: 119-27; 57: 163, 297; 59: 209; 60: 59, 134-5, 225; 61: 41-2, 47-9, 200; 62: 25; 63: 155, 173, 246, 248, 251, 254, 257, 265; Australia, 12: 193; budget, 62: 3, 14; California Railroad Commission, 6: 469-77; centralization, 58: 6; China, 39: 35-6; colonial, 19: 160-3, 326-9, 519-23; 21: 132-51, 338-42, 507-10; 22: 402-11; federal, 63: 285; German Colonial, 19: 162-3; history, 56: 1; home rule, 19: 303-4; markets, 48: 149; ownership, 48: 185; prices, 48: 211-12; Prussia, 3: 393-408; 15: 313, 29: 310-22; public service, 53: 49-128; railroads, 63: 191-8; regulation, 37: 170-90; 42: 263, 266, 291; 53: 88-9, 120; 57: 17, 83, 124, 164; 59: 212-25; 63: 155, 173; representative, 43: 72, 251; revenues, 62: 48; Rhode Island, 1: 552; securities, 63: 255-62; speculation, 38: 444-72; state, 43: 66; steamship carriers, 55: 7-16; street railways, 29: 275-9; unemployment, 61: 12-13; utilities, 57: 111, 161.



- GOVERNMENT OF ALAMEDA COUNTY, CALIFORNIA, THE, **47**: 237-47.
- GOVERNMENT. THE NEW AUSTRALIAN COMMONWEALTH, **21**: 183-208.
- GOVERNMENT, BUDGET MAKING AND THE WORK OF, **62**: 1-14.
- GOVERNMENT, NATIONAL CONFERENCE FOR GOOD CITY, **5**: 636-9.
- GOVERNMENT, PROBLEMS OF CITY, FROM THE ADMINISTRATIVE POINT OF VIEW, **27**: 132-54.
- GOVERNMENT, CITY, IN JAPAN, **25**: 322-4.
- GOVERNMENT, CONSTITUTIONAL, IN JAPAN, **21**: 209-20.
- GOVERNMENT OF DEPENDENCIES, **19**: M., '02.
- GOVERNMENT, DEVELOPMENT OF FEDERAL, **32**: 212-17.
- GOVERNMENT, THE FUNCTION OF, IN ITS RELATION TO INDUSTRY, **60**: 58-9.
- GOVERNMENT, THE, IN ITS RELATION TO INDUSTRY, **24**: Jy., '04.
- GOVERNMENT, THE REORGANIZATION OF LOCAL, IN CUBA, **25**: 311-21.
- GOVERNMENT, RECENT CHANGES IN THE, OF LONDON, **23**: 237-54.
- GOVERNMENT, MILITARY, OF CUBA, **21**: 153-82.
- GOVERNMENT, NOTES ON MUNICIPAL, **7**: 144-61.
- GOVERNMENT, SIR WM. TEMPLE ON THE ORIGIN AND NATURE OF, **3**: 150-79.
- GOVERNMENT, SHALL THE, REGULATE THE SALE OF SECURITIES? **63**: 255-62.
- GOVERNMENT, DECAY OF STATE AND LOCAL, IN AMERICA, **1**: 26-42.
- GOVERNMENT ASSISTANCE TO EXPORT TRADE, **34**: 555-62.
- GOVERNMENT CONTROL OF BANKS AND TRUST COMPANIES, **24**: 15-26.
- GOVERNMENTAL CONTROL, MUNICIPAL OWNERSHIP AS A FORM OF, **28**: 359-70.
- GOVERNMENTAL LEGISLATION. THE SCOPE AND LIMITS OF CONGRESSIONAL LEGISLATION AGAINST TRUSTS, **24**: 111-22.
- GOVERNMENT MEASURES TO INCREASE MINE SAFETY, **38**: 112-16.
- Government ownership, **24**: 361; **29**: 310-22; **53**: 93; **57**: 59-120, 204, 287; **58**: 143.
- GOVERNMENT OWNERSHIP OF RAILROADS, **19**: 61-73.
- GOVERNMENT RAILROADS IN THE UNITED STATES, AN ARGUMENT AGAINST, **29**: 342-51.
- GOVERNMENT REGULATION OF BIG BUSINESS IN THE FUTURE, **42**: 238-45.
- GOVERNMENT REGULATION OF BUSINESS, THE NEW, **59**: 212-25.
- GOVERNMENT REGULATION. THE NATION SHOULD SUPERINTEND ALL CARRIERS, **32**: 218-24.
- GOVERNMENT REGULATION OF INDUSTRY, ATTITUDE OF LABOR TOWARDS, **32**: 75-81.
- GOVERNMENTAL REGULATION OF ACCOUNTING PROCEDURE, **53**: 119-27.
- GOVERNMENTAL REGULATION OF RAILROADS, THE TREND OF, **32**: 120-4.
- GOVERNMENTAL REGULATION OF SPECULATION, **38**: 444-72.
- GOVERNMENT'S RELATION TO CORPORATE CONSTRUCTION AND MANAGEMENT, THE, **32**: 3-29.
- Governor: **29**: Sup. Mch., '07, 3-5, 30, 53, 60, 84; appointment of judges, **52**: 6; duties, **62**: 29-30; pardoning power of, **46**: 4; powers, **29**: Sup. Mch., '07, 31, 34, 58, 84; term of office, **29**: Sup. Mch., '07, 4, 31. See Executive.
- GOWEN, HERBERT H. The Problem of Oriental Immigration in the State of Washington, **34**: 329-37.
- Grace and Co., W. R., **55**: 66.
- Grade crossings, **53**: 44; Buffalo, **8**: 194.
- Grades, **50**: 253; **53**: 44.
- GRADES, CLASSIFICATION OF GRAIN INTO, **38**: 376-95.
- Graft, **22**: 542-5.
- GRAHAM, FRANCES W. Organization and Accomplishments of the W. C. T. U. in the State of New York, **32**: 518-21. See also, **32**: 513.
- GRAHAM, JOSEPH B. Current Problems in Alabama, **22**: 280-3.
- GRAHAME, LEOPOLD. The Latin View of the Monroe Doctrine, **54**: 57-62.
- Grain, **48**: 145; **50**: 203, 206-8, 254.
- GRAIN, CLASSIFICATION OF, INTO GRADES, **38**: 376-95.
- GRAIN, INSPECTION IN ILLINOIS, **38**: 396-408.
- GRAIN CROP, METHODS OF MARKETING THE, **38**: 354-75.
- GRAIN GROWERS REDUCE COST OF DISTRIBUTION, **50**: 203-10.
- GRAIN TRADE, ABUSES IN THE, OF THE NORTHWEST, **18**: 488-90.
- GRAIN TRADE, OUR TARIFF IN ITS RELATION TO THE, **29**: 528-36.
- GRAND JUNCTION PLAN OF CITY GOVERNMENT AND ITS RESULTS, THE, **38**: 757-72.
- Grand jury, **52**: 37-40, 46-7, 53-4.
- GRAND JURY OF THE COUNTY OF NEW YORK, THE, **52**: 37-55.
- Grand Rapids: **24**: 590; **25**: 183-5, 631; **27**: 220; **33**: Sup. Mch., '09, 182-3; **35**: Sup. Mch., '10, 175; **38**: Sup. Jy., '11, 171; parks, **23**: 558; police, **24**: 590; taxation, **28**: 161.
- Grange, **4**: 790-8.
- GRANGE, THE, **4**: 798-805.
- Grange Laws, **4**: Sup. S., '93, 48; **32**: 120-1.
- GRANGER, MRS. A. O. Effect of Club Work in the South, **28**: 248-56; The Work of the General Federation of Women's Clubs against Child Labor, **25**: 516-21.
- GRANT, LUKE. Seasonal Occupation in the Building Trade, Causes and Effects, **33**: 353-61.
- Graphic presentation, **1**: Sup. Mch., '91, 41.
- Graunt, John, **1**: Sup. Mch., '91, 30, 32, 34, 236.
- GRAVES, HENRY SOLON. Public Regulation of Private Forests, **33**: 497-509.
- GRAY, JOHN H. Greater Chicago, **17**: 291-8; The Difficulties of Control as Illustrated by the History of Gas Companies, **15**: Sup. M., '00, 33-59; The German Economic Association, **1**: 515-20.
- GRAY, LEWIS CECIL. Southern Agriculture, Plantation System and the Negro Problem, **40**: 90-9.



- GRAY, R. S. The Advisability of a Public Defender, **52**: 177-80.
- GRAZIANI, AUGUSTO. Economics of machinery, **2**: 522-30; The Economic Theory of Machines, **2**: 838-41.
- Great Britain: **1**: Sup. Mch., '91, 63; **15**: 21; **16**: Sup. Jy., '00, 72; **24**: 593; **25**: 283; **32**: 610; **35**: Sup. M., '10, 25; **42**: 49, 99, 102, 105, 125, 166, 191, 207, 251, 257, 298; **43**: 24, 26-7, 63-73; **57**: 195-6; **58**: 44-5, 50-3, 57; **61**: 268; agriculture, **14**: 204; child labor, **23**: 395-6; coal, **32**: 351; commercial education, **17**: 154-8; **60**: 1-2; coöperative credit, **46**: 172; coöperative societies, **50**: 233, 235; corrupt practices act, **43**: 27; employment, **48**: 7; European war, **58**: 54-5; expenditures, **58**: 47; exports, **58**: 50; factories, **27**: 262; foreign trade, **60**: 2, 190-1; franchise, **57**: 195-6; gas, **57**: 204; housing and sanitation, **25**: 281; imports, **58**: 50; **60**: 190-1; income tax, **58**: 38, 49, 77; industrial development, **35**: Sup. M., '10, 23; industrial schools, **25**: 409-12; judiciary, **43**: 75; labor, **44**: 15; labor exchanges, **61**: 139-40; law making, **43**: 63-73; liquor, **21**: 495-9; **32**: 612-15; minimum wage, **48**: 22-36; municipal ownership, **57**: 195-7, 203-6, 241, 290-1; municipal trading, **16**: 491; **24**: 507-24; professional women, **35**: Sup. M., '10, 24; recall, **43**: 75; referendum, **43**: 27, 69, 115-17; reformatories, **25**: 412-13; revenue, **58**: 48-9; sanitation, **25**: 273-89; schools, **25**: 412-13; street railways, **57**: 197-201; taxation, **58**: 48-50, 56-7; trade, **58**: 50-1; **59**: 237; tramways, **57**: 197; unemployment, **48**: 7-8; wages, **48**: 23; waterways, **31**: 228-45; women, **35**: Sup. M., '10, 23-4; **56**: 38. See England.
- GREAT BRITAIN AND THE UNITED STATES, CANADA AND THE PREFERENCE; CANADIAN TRADE WITH, **45**: 29-46.
- GREAT BRITAIN, SOME DIFFICULTIES IN COLONIAL GOVERNMENT ENCOUNTERED BY, AND HOW THEY HAVE BEEN MET, **30**: 16-23.
- GREAT BRITAIN, FOREIGN RAILWAY EVENTS IN 1902-03, **23**: 121-40.
- GREAT BRITAIN, THE MINIMUM WAGE IN, AND AUSTRALIA, **48**: 22-36.
- GREAT BRITAIN, SELECTED OFFICIAL DOCUMENTS OF THE SOUTH AFRICAN REPUBLIC AND, **16**: Sup. Jy., '00.
- GREAT BRITAIN, THE PROGRESS OF SANITATION IN, **25**: 273-89.
- GREAT BRITAIN, THE WOMAN SUFFRAGE MOVEMENT IN, **35**: Sup. M., '10, 23-7.
- Great Lakes, **4**: Sup. S., '93, 8, 68, 101; **55**: 97, 99, 192.
- GREAT LAKES, TRANSPORTATION ON, **31**: 126-38.
- Greece, **1**: Sup. Mch., '91, 16, 68; **18**: 255-73.
- GREEN, D. I. Wieser's Natural Value, **5**: 512-30.
- GREGORY, CHARLES NOBLE. The Sale of Munitions of War by Neutrals to Belligerents, **60**: 183-91.
- Grenoble, municipal restaurant in, **11**: 286.
- Gresham's law, **6**: 280-1.
- GRIFFITHS, JOHN L. Legal Procedure in England, **52**: 200-7.
- Griscom, John H., **51**: 8.
- GROAT, GEORGE GORHAM. The Attitude of the Courts Towards Industrial Problems, **44**: 104-13.
- GROCERIES, THE COST OF DISTRIBUTING, **50**: 74-82.
- GROSSCUP, PETER S. Government's Relation to Corporate Construction and Management, **32**: 3-29.
- GROSSCUP'S ADDRESS, THE PUBLIC REGULATION OF CORPORATIONS—DISCUSSION OF JUDGE, **32**: 30-3.
- GROSSER, HUGO S. The Movement for Municipal Ownership, in Chicago, **27**: 72-90; Municipal Problems of Chicago, **23**: 281-96; Parks and Public Playgrounds, **26**: 764-7.
- Grosches und kleines Grundeigenthum angeführt werden, analyzed, **4**: Sup. Mch., '94, 64.
- GRUHL, EDWIN. Recent Tendencies in Valuations for Rate-making Purposes, **53**: 219-37.
- Grundlegung zur Volkswirtschaftslehre, **4**: Sup. Mch., '94, 120.
- Grundsätze der Steuerpolitik, **4**: Sup. Mch., '94, 120.
- Guarantees, see Bonds.
- GUERNSEY, NATHANIEL T. The Regulation of Municipal Utilities, **57**: 20-7.
- GUGGENHEIM, DANIEL. Some Thoughts on Industrial Unrest, **59**: 209-11.
- GUILD, CURTIS, JR. Child Labor Legislation in Massachusetts, **35**: Sup. Mch., '10, 7-12.
- GULICK, LUTHER H. Popular Recreation and Public Morality, **34**: 33-42.
- GUTHRIE, GEORGE W. The Initiative, Referendum and Recall, **43**: 17-31.
- GWYNN, J. K. Industrial Combines and National Progress, **42**: 125-33.
- Gymnasiums, **9**: 471; **15**: 119; **35**: 429.
- HADLEY, ARTHUR T. Interest and Profits, **4**: 337-47. See also **4**: Sup. S., '93, 22.
- HADLEY, HERBERT S. New Theory as to Punishment of Crime, **46**: 40-4.
- HADLEY, WILLB. Accounting Basis of Budgetary Procedure, **62**: 136-9.
- Hague, The, peace conferences, **61**: 276-7.
- Tribunal, **22**: 95-6.
- HAINS, PETER C. An Isthmian Canal from a Military Point of View, **17**: 397-408.
- Haiti: **23**: 50; **54**: 31, 33, 36-7, 39, 41, 46; industries, **54**: 47; Monroe Doctrine, **54**: 56; religious conditions, **54**: 42; trade, **55**: 71, 92; wealth, **54**: 32.
- HAITI, THE MONROE DOCTRINE AND ITS APPLICATION TO, **54**: 28-56.
- HALBERT, L. A. Effective Charity Administration, **41**: 176-92.
- HALDEMAN, B. ANTRIM. The Street Layout, **51**: 182-91.
- HALE, ARTHUR. The Present Supply of Freight Cars, **34**: 592-600.
- HALL, BOLTON. Taxation of Land as a Remedy for Unemployment, **59**: 148-56.

- HALL, FRED S. Pennsylvania Child Labor Association, **33**: Sup. Jy., '08, 142; **33**: Sup. Mch., '09, 191-2; Child Labor Statistics, **35**: Sup. Mch., '10, 114-26; Pennsylvania Child Labor Association, **35**: Sup. Mch., '10, 184-6; Pennsylvania Child Labor Association, **38**: Sup. Jy., '11, 180-2.
- HALL, GEORGE A. New York Child Labor Committee, **32**: Sup. Jy., '08, 135; **33**: Sup. Mch., '09, 187-9; New York Child Labor Committee, **35**: Sup. Mch., '10, 179-81; Poverty and Parental Dependence in Relation to Child Labor Reform. I, Scholarships, **38**: Sup. Jy., '11, 77-9; New York Child Labor Committee, **38**: Sup. Jy., '11, 174-6; The Newsboy, **38**: Sup. Jy., '11, 100-2.
- HALL, LYMAN. Needs of the New South, **22**: 266-70.
- HALL, PRESCOTT F. Selection of Immigration, **24**: 167-84.
- Halle, a. S., **15**: 313-54; waterworks, **15**: 347.
- von Halle, Ernest, **42**: 160, 161.
- v. Haller, K. L., work of, **4**: Sup. Mch., '94, 60-1.
- Halley, Edm., **1**: Sup. Mch., '91, 9, 30, 221, 236.
- Hamburg, **29**: 393; **50**: 160; **55**: 54-8, 65, 71-92, **59**: 239-42.
- Hamilton, Alexander, **60**: 169, 184.
- HAMILTON, J. H. The Relation of Postal Savings Banks to Commercial Banks, **11**: 44-53.
- HAMILTON, JOHN. Influences Exerted by Agricultural Fairs, **40**: 200-10.
- HAMILTON, JOHN J. What Government by Commission Has Accomplished in Des Moines, **38**: 908-16.
- HAMLIN, W. A. & Co. Timber Bonds as Legal Investments for Michigan Savings Banks, **41**: Sup. M., '12, 59-61.
- HAMMOND, JOHN HAYS. American Commercial Interests in the Far East, **26**: 83-8; Inadequacy of Present Laws Concerning Accidents, **38**: 74-5; Trade Relations with Central and South America as Affected by the War, **60**: 69-71.
- HAMMOND, L. H. The White Man's Debt to the Negro, **49**: 67-73.
- HAMMOND, MATTHEW B. The Minimum Wage in Great Britain and Australia, **48**: 22-36.
- Hampers, **48**: 216; **50**: 166-70.
- HAMPER, THE LONG ISLAND HOME, **50**: 166-70.
- Hampton Normal School, **49**: 30, 176, 215, 220.
- Hanauer, Abbé, **4**: Sup. Mch., '94, 132.
- HANCOCK, HENRY J. The Situation in Santo Domingo, **26**: 45-52.
- HANDBOOK OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, **1**: Sup. A., '91; **9**: Sup. M., '97; **11**: Sup. M., '98; **17**: Sup. M., '01.
- Handbuch der politischen Oekonomie*, value of, **4**: Sup. Mch., '94, 122.
- Handbuch der Verwaltungslehre*, **4**: Sup. Mch., '94, 113.
- HANEY, JAMES PARTON. Vocational Training and Trade Teaching in the Public Schools, **33**: 23-32.
- HANNA, MARCUS A. Industrial Conciliation and Arbitration, **20**: 21-6.
- Hannan, Edward, **4**: Sup. S., '93, 36.
- Hannsen, G., **4**: Sup. Mch., '94, 65-6, 116.
- Hanover, **57**: 261-2.
- HANSON, WILLIAM C. Exclusion of Children From Dangerous Trades, **38**: Sup. Jy., '11, 90-4; The Health of Young Persons in Massachusetts Factories, **35**: Sup. Mch., '10, 111-13.
- HAPGOOD, H. J. College Men in Business, **28**: 58-69.
- Harbors: **55**: 238-9; Buffalo, **29**: 371; Chicago, **29**: 360; Detroit, **29**: 377; Duluth, **29**: 382; Germany, **24**: 526-9, 531-2; improvement, **55**: 238.
- HARBOR BILLS, RIVER AND, **2**: 782-812.
- HARBOR FACILITIES, PORT ADMINISTRATION AND, **29**: 357-400.
- HARDING, S. B. The "Minimum" Principle in the Tariff of 1828 and Its Recent Reveal, **6**: 100-16.
- HARDING, W. F. A Successful School Savings Bank, **4**: 297-9.
- HARDING, W. P. G. The Results of the European War on America's Financial Position, **60**: 113-18.
- HARDWARE, TARIFF RATES ON, **32**: 290-4.
- HARDY, RUFUS. Traffic Agreements between Steamship Lines and American Railroads, **55**: 185-93.
- HARLEY, HERBERT. Organization of the Bar, **52**: 77-82.
- HARLEY, L. R. The High School System, **8**: 332-42.
- HARMON, WILLIAM E. Handicaps in Later Years from Child Labor, **33**: Sup. Mch., '09, 122-30.
- Harriman, E. H., **42**: 80.
- Harriman, Mrs. E. H., **41**: 307.
- HARRIMAN, MRS. J. BORDEN. The Cotton Mill a Factor in the Development of the South, **35**: Sup. Mch., '10, 47-51.
- HARRIN, FRANK H. County Administration of School Affairs in its Relation to the State Department, **47**: 153-65.
- HARRINGTON, JOHN. The Inheritance Tax, **58**: 87-94.
- HARRIS, ELLA F. Charity Functions of the Pennsylvania County, **47**: 166-81.
- HARRIS, HENRY J. The Essentials of a Child Labor Law for the District of Columbia, **27**: 364-70; Citizen's Child Labor Committee of the District of Columbia, **35**: Sup. Mch., '10, 162-3; Citizens' Child Labor Committee of the District of Columbia, **38**: Sup. Jy., '11, 157-9; Recent Progress in European Countries in Workmen's Compensation, **38**: 246-56; Washington, D. C., Citizen's Child Labor Committee of, **33**: Sup. Mch., '09, 193-4.
- HARRIS, L. H. Service Regulations for Electrical Utilities, **53**: 285-91.
- HARRIS, SREBEL. Methods of Marketing the Grain Crop, **38**: 354-75.
- HARRISON, CARTER H. The Regulation of Public Utilities, **57**: 54-61.
- HARRISON, SHELBY M. The Disproportion of Taxation in Pittsburgh, **58**: 168-82.

- HART, ALBERT BUSHNELL. The Postulates of the Mexican Situation, **54**: 136-47; Unarmed Neutrality, **60**: 213-21.
- HART, HASTINGS H. Illinois Jails and the Kangaroo Court, **46**: 109-14; Distinctive Features of the Juvenile Court, **36**: 57-60.
- HARTEN, M. D. American Banking and the Money Supply of the Future, **3**: 559-72.
- Hartford, **17**: 164-72; **29**: 594.
- HARTFORD, TRAMP QUESTION IN, **7**: 171.
- Hartley, R. M., report by, in 1853, **51**: 9.
- HARTMAN, EDWARD T. Village Problems and Characteristics, **40**: 234-43; Wherein Direct Housing Legislation Fails, **51**: 78-81.
- Harvard Bureau of Business Research, **59**: 81-2.
- Harvester Trust, **48**: 177.
- HASTINGS, ARTHUR C. Difficulties and Needs of the Paper and Pulp Industry, **34**: 467-70.
- HATCH, EDWARD, JR. The House Fly as a Carrier of Disease, **37**: 412-23.
- Hauling, **48**: 209; **50**: 21.
- Haupt, Lewis M., **4**: Sup. S., '93, 75, 84.
- Havana, **16**: 159; **18**: 363-5; **21**: 129-30.
- Havemeyer, Henry O., testimony of, before Industrial Commission, **48**: 167.
- Hawaii: **13**: Sup. M., '99, 19; **18**: 9-17; **19**: 519; **23**: 61-2, 404-5; **54**: 252; **55**: 101; charity, **18**: 173, 563; finances, **24**: 424; labor, **34**: 247; trade, **19**: 377-82.
- HAWAII AND PORTO RICO, OUR TRADE WITH, **19**: 377-82.
- HAYES, DENIS A. Length of the Trade Life in the Glass Bottle Industry, **27**: 496-9.
- HAYNES, GEORGE EDMUND. Conditions Among Negroes in the Cities, **49**: 105-19.
- HAYNES, GEORGE H. Representation in New England Legislatures, **6**: 254-67; Representation in State Legislatures, III. The Southern States, **16**: 93-119; Representation in State Legislatures, I. North Atlantic States, **15**: 204-35; Representation in State Legislatures, II. Northern Central States, **15**: 405-25; Representation in State Legislatures, IV. The Western States, **16**: 243-72.
- HAYS, WILLET M. Functions and Needs of Our Great Markets, **45**: 245-62.
- Hay-Pauncéfote treaty, **54**: 25, 85.
- Health: **1**: Sup. F., '91, 4-5, 24; **17**: Sup. J., '01, 70; **23**: 464; **37**: 270-320, 331-8; **41**: 7, 20, 37, 69, 249, 253, 274, 311; **42**: 205; **49**: 145, 249; **51**: 9, 51, 192, 236; **59**: 35-8; **62**: 150; Buffalo, **9**: 156; children, **37**: 494-504; Cincinnati, **41**: 262; Louisiana, **47**: 45; Milwaukee, **41**: 273; municipal government, **1**: Sup. F., '91, 24; national, **37**: 321-30; **37**: Sup. M., '11, 76-8; negro, **49**: 138-46; New York City, **23**: 312; Panama Canal, **31**: 19; Pennsylvania, **37**: 339-446; **47**: 172; Philadelphia, **41**: 69; playgrounds, **34**: 41; rural, **37**: 367-70; ventilation, **37**: 451-63. See Hygiene, Public health, Rural health.
- HEALTH, CLEAN MILK AND PUBLIC, **37**: 436-50.
- HEALTH, HOUSING AND, **37**: 257-69.
- HEALTH, MOUTH HYGIENE AND ITS RELATION TO, **37**: 472-86.
- HEALTH, MUNICIPAL GOVERNMENT AND PUBLIC, **1**: Sup. F., '91.
- HEALTH, WORK OF THE COMMITTEE OF ONE HUNDRED ON NATIONAL, **37**: 321-30. See Health.
- HEALTH, THE RISE OF THE NATIONAL BOARD OF, **15**: 51-68.
- HEALTH, NATIONAL DEPARTMENT OF, **A**, **4**: 292-7.
- HEALTH, FIFTY YEARS OF NEGRO PUBLIC, **49**: 138-46.
- HEALTH. THE SIGNIFICANCE OF A SOUND PHYSIQUE, **34**: 9-15.
- HEALTH OF SCHOOL CHILDREN, WHAT AMERICAN CITIES ARE DOING FOR THE, **37**: 494-504.
- HEALTH, TROPICAL DISEASES AND, IN THE UNITED STATES, **37**: 394-411.
- HEALTH, VENTILATION AND PUBLIC, **37**: 451-63.
- HEALTH OF YOUNG PERSONS IN MASSACHUSETTS FACTORIES, **35**: Sup. Mch., '10, 111-13.
- Health Bill, Consumers', **34**: Sup. Jy., '09, 61-2; **36**: Sup. S., '10, 54-5.
- HEALTH MOVEMENT, THE PUBLIC, **37**: Mch., '11.
- HEALTH MOVEMENT, THE CENSUS AND THE PUBLIC, **37**: 286-304.
- HEALTH MOVEMENT, SOURCES OF INFORMATION UPON THE PUBLIC, **37**: 305-20.
- HEALTH MOVEMENT ON THE PACIFIC COAST, PUBLIC, **37**: 331-8.
- HEALTH MOVEMENT, THE RURAL, **37**: 367-70.
- HEALTH NEEDS AND CIVIC ACTION, **37**: 247-56.
- HEALTH PROBLEMS OF THE INDIANS, **37**: 347-53.
- HEALTH PROBLEMS OF THE NEGROES, **37**: 354-66.
- HEALTH SERVICE, SCIENTIFIC RESEARCH BY THE PUBLIC, **37**: 270-85.
- HEALY, A. AUGUSTUS. Hides, Leather, Boots and Shoes and the Tariff, **32**: 295-9; The Leather Industry and the Tariff, **29**: 553-5.
- HEALY, WILLIAM. Critique on Recording Data Concerning Criminals, **52**: 89-92.
- HEARINGS, PRIVATE: THEIR ADVANTAGES AND DISADVANTAGES, **36**: 80-4.
- HEATH, A. R. Business Test of Prohibition, **32**: 582-90.
- HEATH, MRS. JULIAN. Work of the Housewives League, **48**: 121-6.
- HERBERD, ROBERT W. Supervision of Charities in New York, **23**: 477-82.
- Hebrew Technical Institute, **22**: 400-1.
- Hebrews, see Jews.
- HECKEL, G. B. The Outlook for Paint Manufacture, **34**: 507-11.
- HEFFERNAN, W. O. State Budget Making in Ohio, **62**: 91-100.
- HEMPHILL, ALEXANDER J. America's Financial Position as Affected by the War, **60**: 119-22.
- HENDERSON, CHARLES R. Child Labor, Social Cost of Accident, Ignorance and Exhaustion, **32**: Sup. Jy., '08, 11-18; Duty of a Rich Nation to Take Care of Her Children, **33**: Sup. Mch., '09, 20-2; World Currents in Charity Theory and Practice,

- 21:** 363-78; The Federal Children's Bureau, **33:** Sup. Mch., '09, 40-1; Rural Police, **40:** 228-33; Logic of Social Insurance, **33:** 265-77.
- Henri IV, **1:** Sup. Mch., '91, 26.
- Henry VIII, **1:** Sup. Mch., '91, 29.
- HENSON, C. C. Louisiana Child Labor Committee, **38:** Sup. Jy., '11, 165.
- HEPBURN, A. B. State and National Bank Circulation, **3:** 573-80.
- HERBERT, HILARY A. The Race Problem at the South, **18:** 95-101.
- HEREDITY, INFLUENCE OF, AND ENVIRONMENT UPON RACE IMPROVEMENT, **34:** 3-8.
- HEREDITY, INFLUENCE OF, ON HUMAN SOCIETY, **34:** 16-21.
- Herr Bastiat-Schulze von Delitzsch der ökonomische Julian, **4:** Sup. Mch., '94, 96.
- Hermann, C. F., **1:** Sup. Mch., '91, 16.
- v. Hermann, F. B. W., **1:** Sup. Mch., '91, 58, 73, 92, 230, 236; **4:** Sup. Mch., '94, 38, 53-4, 104, 115, 122.
- HERRICK, C. A. Higher Commercial Education, **21:** 511-13.
- HERRICK, MYRON T. The Panic of 1907 and Some of Its Lessons, **31:** 308-25.
- HERRIOTT, F. I. Sir Wm. Temple, on the Origin and Nature of Government, **3:** 150-79.
- Herrn Eugen Dühring's Umwälzung, **4:** Sup. Mch., '94, 94.
- HERSHEY, A. S. Intervention and the Recognition of Cuban Independence, **11:** 353-80; Some Problems of Defense, **61:** 263-9; Recognition of Cuban Belligerency, **7:** 450-61.
- HESS, HERBERT W. Advertising and the High Cost of Living, **48:** 238-43.
- HESS, RALPH H. The Waterways and Commercial Evolution, **59:** 259-82.
- HEWINS, W. A. S. and E. J. JAMES. The London School of Economics and Political Science, **6:** 283-8.
- HEXAMER, CHARLES A. Fire Insurance—Rates and Schedule Rating, **26:** 391-403.
- HEYN, E. T. Postal Savings Banks, **8:** 461-90.
- HIBBARD, BENJAMIN HORACE. Farm Tenancy in the United States, **40:** 29-39.
- HIBBEN, PAXTON. The South American View as to the Monroe Doctrine, **54:** 63-5.
- HICKS, FREDERICK CHARLES. Selected Official Documents of the South African Republic and Great Britain, **16:** Sup. Jy., '00; Marriage and Divorce Provisions in the State Constitutions of the United States, **28:** 745-8.
- HIDES, LEATHER, BOOTS AND SHOES AND THE TARIFF, **32:** 295-9.
- HIGGINS, RICHARD J. Results of Commission Government in Kansas City, Kansas, **38:** 917-21.
- High schools: **10:** 384-5; **12:** 39; **49:** 191. See Schools, Education.
- HIGH SCHOOL SYSTEM, THE, **8:** 332-41.
- HIGHER EDUCATION OF NEGROES IN THE UNITED STATES, **49:** 209-18.
- Highways: **40:** 56; **41:** 115, 128; **50:** 35-6; **56:** 84-5; convict labor, **46:** 78; free, **38:** 783; Minnesota, **13:** 228; New York State, **13:** 228; Philadelphia, **41:** 249; Porto Rico, **20:** 657; Toronto, **10:** 479.
- HIGHWAYS, IMPROVED PUBLIC, **50:** 35-6.
- HIGHWAY ADMINISTRATION, EFFICIENCY IN, WITH SPECIAL REFERENCE TO PAVEMENTS, **41:** 115-26.
- HIGHWAY CONSTRUCTION, CONVICT LABOR IN, **46:** 78-87.
- Hildebrand, Bruno, **1:** Sup. Mch., '91, 17, 59, 93, 233; **4:** Sup. Mch., '94, 23, 116-17.
- HILL, CHARLES E. Results of Commission Government in Emporia, Kansas, **38:** 922-4.
- HILL, JOSEPH ADNA. Translated by. A History of Political Economy, by Gustav Cohn, **4:** Sup. Mch., '94.
- Hill, Octavia, statement of, **56:** 104.
- Hill Association, Octavia, **10:** 139; **20:** 111-20, 139, 179.
- HILL, ROBERT T. The Commercial Relations of the United States with the Far East, **13:** Sup. M., '99, 131-43.
- HILL, WALTER B. Negro Education in the South, **22:** 320-9.
- HILLQUIT, MORRIS. America's Possible Contribution to a Constructive Peace, **61:** 239-42.
- HINCKLEY, F. E. Extraterritoriality in China, **39:** 97-108.
- Hindus, see Immigrants, India.
- HINE, LEWIS W. Child Labor in Gulf Coast Canneries: Photographic Investigation Made Feb., 1911, **38:** Sup. Jy., '11, 118-22.
- HINES, WALKER D. The Conflict between State and Federal Regulation of Railroads, **63:** 191-8.
- Hirsch, Baron de, School, **33:** 75.
- HIRSCH, EMIL G. Child Labor from the Employer's Point of View, **25:** 551-7.
- Hirsch Fund, Finances of the Baron de, **20:** 653.
- Hirth, George, **4:** Sup. Mch., '94, 118.
- Histoire de Colbert, **4:** Sup. Mch., '94, 131.
- Histoire de la Conquête de l'Angleterre par les Normands, **4:** Sup. Mch., '94, 75.
- Histoire des classes ouvrières depuis 1789, **4:** Sup. Mch., '94, 130.
- Histoire des classes ouvrières en France, **4:** Sup. Mch., '94, 130.
- Histoire des Français des divers états, **4:** Sup. Mch., '94, 131.
- Histoire du système protecteur en France, **4:** Sup. Mch., '94, 132.
- Historical School: **1:** 244; **4:** Sup. Mch., '94, 57-8, 100-1, 103, 105-13, 119-25.
- History: **1:** 67; **4:** Sup. Mch., '94, 100-3; **6:** 128; **11:** 353-80; **12:** 58-68; **18:** 469-79; economic interpretation of, **44:** Sup. N., '12, 6, 7, 9, 11, 13, 21, 34; material interpretation of, **44:** Sup. N., '12, 9-20; sociological interpretation of, **44:** Sup. N., '12, 9.
- HISTORY, WHAT IS A CONSTITUTIONAL, OF THE UNITED STATES, **19:** 259-65.
- HISTORY: A DEFINITION AND A FORECAST, **6:** 128-31.
- HISTORY, THE PRESENT PROBLEMS IN THE ECONOMIC INTERPRETATION OF, **24:** 540-55.
- HISTORY. ROUSSEAU AND THE FRENCH REVOLUTION, **10:** 54-72.



- Ho, L. Y. An Interpretation of China, **39**: 1-10.
- HOAGLAND, WILLIAM K. Timber Bonds as Investments for Insurance Companies, **41**: Sup. M., '12, 70-5.
- Hoboken, **41**: 211, 235.
- HOBSON, JOHN. The Subjective and the Objective View of Distribution, **4**: 378-403.
- Hoch, E. W. The Success of Prohibition in Kansas, **32**: 574-5.
- HOCKEN, H. C. The Hydro-Electric System in Toronto, **57**: 246-53.
- HODGES, HENRY G. Statutory Provisions for and Achievements of Public Employment Bureaus, **59**: 165-84.
- HOFFMAN, F. E. Minnesota Child Labor Committee, **38**: Sup. Jy., '11, 171-4.
- HOFFMAN, FREDERICK L. Industrial Insurance, **26**: 283-99; Physical and Medical Aspects of Labor and Industry, **27**: 465-90. See also **49**: 115.
- Hoffman, J. G., **1**: Sup. Mch., '91, 47, 57, 71; **4**: Sup. Mch., '94, 56-7.
- HOGUE, SARA H. Organization and Accomplishments of the W. C. T. U. in Virginia, **32**: 527-30. See also **32**: 513.
- HOLAIND, RENE I. The Chicago Trust Conference, **15**: 69-80.
- HOLCOMBE, ARTHUR N. Report of the Special Committee of the National Consumers' League, on Minimum Wage Boards, **38**: Sup. S., '11, 51-2.
- Holding companies: **57**: 305-23, 325-8; competition, **57**: 316; efficiency, **57**: 308-9; growth, **57**: 325; income tax, **58**: 19-20; New York, **53**: 49; public utilities, **57**: 322; purpose, **53**: 49; securities, **57**: 330. See Interlocking Directorates.
- HOLDING COMPANIES, PUBLIC ADVANTAGES OF, **57**: 313-22.
- HOLDING COMPANIES AND THE PUBLIC WELFARE, **57**: 305-12.
- HOLDING COMPANY, THE PUBLIC WELFARE AND THE, **57**: 323-34.
- Holland: **1**: Sup. Mch., '91, 61; **3**: 668; **55**: 77; accident insurance, **18**: 370; banks, **8**: 484; charities, **8**: 419; taxation, **28**: 170-2; waterways, **4**: Sup. S., '93, 103.
- HOLLANDER, J. H. Adam Smith and James Anderson, **7**: 461-4; Professor J. B. Clark's Use of the Terms "Rent" and "Profits," **5**: 409-11; The Financial Difficulties of San Domingo, **30**: 93-103.
- HOLLINGSWORTH, CHARLES M. The So-Called Progressive Movement, **43**: 32-48.
- HOLLIS, FREDERICK WILLIAM. Compulsory Voting, **1**: 586-614.
- HOLLIS, JOHN PORTER. Child Labor Legislation in the Carolinas, **38**: Sup. Jy., '11, 114-17.
- HOLLY, CHARLES O. Defects and Limitations of the Commission Plan, **38**: 871-6.
- HOLMES, GEORGE K. Supply of Farm Labor, **33**: 362-72; A Decade of Mortgages, **4**: 904-18; Prevention of Waste and Seasonal Price Fluctuations Through Refrigeration, **50**: 48-56; The Peons of the South, **4**: 265-74.
- HOLMES, J. A. Government Measures to Increase Mine Safety, **38**: 112-14; Production and Waste of Mineral Resources and their Bearing on Conservation, **33**: 686-98.
- HOLMES, JOHN HAYNES. Indifference of the Church to Child Labor Reform, **35**: Sup. Mch., '10, 23-32. Religion's Reply to Economics, **41**: 313-16.
- Holmes, Mr. Justice, on the police power, **52**: 29.
- HOLT, MRS. H. GAYLORD. Inter-Church Child Labor Committee of Grand Rapids, Michigan, **33**: Sup. Mch., '09, 182-3; Inter-Church Child Labor Committee, Grand Rapids, Michigan, **35**: Sup. Mch., '10, 175; Inter-Church Child Labor Committee, Grand Rapids, Michigan, **38**: Sup. Jy., '11, 171.
- HOLTON, W. B., JR. Efficiency in Highway Administration with Special Reference to Pavements, **41**: 115-26.
- v. Holtzendorff, **1**: Sup. Mch., '91, 61; F., **4**: Sup. Mch., '94, 117.
- Holy Alliance, **16**: 12.
- Home rule: **1**: 701; **3**: 10; **5**: 474; **19**: 303-4; **21**: 276; **23**: 335-7; **41**: 196; **53**: 85-93, 95; **57**: 57, 170-4; **58**: 6; California, **47**: 9, 229-36; **53**: 108, 115; **58**: 224; cities, **3**: 736; **24**: 395-8, 400; Colorado, **38**: 775; Denmark, **18**: 359; **21**: 485-6; **24**: 395; Duluth, **53**: 101; Minnesota, **24**: 398; Missouri, **24**: 396; **27**: 155; municipal, **17**: 431-43; **57**: 177-8; New York, **57**: 186; regulation, **57**: 57; Washington, **24**: 397; Wisconsin, **53**: 107.
- HOME RULE FOR OUR AMERICAN CITIES, **3**: 736-63.
- HOME RULE IN CALIFORNIA, COUNTY: THE LOS ANGELES COUNTY CHARTER, **47**: 229-36.
- HOME RULE, THE CASE FOR, **57**: 170-4.
- HOME RULE, EFFECT OF STATE REGULATION OF PUBLIC UTILITIES UPON MUNICIPAL, **53**: 85-93.
- HOME RULE CHARTER MOVEMENTS IN MISSOURI, WITH SPECIAL REFERENCE TO KANSAS CITY, **27**: 155-67.
- HOMER, FRANCIS T. Public Advantages of Holding Companies, **57**: 313-22.
- Homes: **51**: 4-5, 46, 52, 130-1; California, **47**: 229-36; ownership, **51**: 3, 128, 129; scientific management, **48**: 96, 99, 103, 256. See Children, Family.
- HOME, THE RURAL, **40**: 168-74. See Rural Home.
- HOME INDUSTRIES, CHILD LABOR IN, **35**: Sup. Mch., '10, 145-9.
- HOME LIFE AND STANDARDS OF LIVING, NEGRO, **49**: 147-63.
- HOME-MAKING, SCIENTIFIC MANAGEMENT IN, **48**: 96-103.
- Homicide, Mexico, **25**: 625-9.
- Honduras, **54**: 119.
- Hongkong Conference, for steamship line agreements, **55**: 81.
- Honor system: **46**: 58, 86, 97, 105; California, **46**: 86; criminals, **46**: 106; New Mexico, **46**: 86; North Carolina, **46**: 86; Oregon, **46**: 105-6. See Prisons, Jails.
- HONOR SYSTEM IN OREGON, ONE YEAR OF, **46**: 105-8.
- Hookworm, **35**: Sup. Mch., '10, 3, 4, 5, 65; **37**: 357; **49**: 54, 143; **61**: 259-60.



- HOOPER, WILLIAM E. The Accounting System Prescribed for Railroads by the Interstate Commerce Commission, **63**: 222-31.
- HOPKINS, ALPHONSO ALVA. The Economic Aspects of Prohibition, **32**: 591-7.
- HOPKINS, CYRIL G. Conservation and Preservation of Soil Fertility, **33**: 631-46.
- HOPKINS, ERNEST MARTIN. A Functionalized Employment Department as a Factor in Industrial Efficiency, **61**: 112-20.
- HOPKINS, GEORGE B. The New York Bureau of Municipal Research, **41**: 235-44.
- HOPKINS, J. CASTELL. Canadian Literature, **45**: 189-215.
- HORMELL, ORREN C. Boston's County Problems, **47**: 134-52.
- HORNE, FRANK A. Some Aspects of Food Conservation by Refrigeration, **50**: 44-7.
- Horticulture, **8**: 312; **35**: 168.
- HOSIERY MANUFACTURE IN THE UNITED STATES, **34**: 539-46.
- Hospitals: **18**: 373; **37**: 467-71; **42**: 14, 41; babies, **41**: 253; municipal, **23**: 273-4; Philadelphia, **47**: 174; psychopathic, **18**: 373; social service, **41**: 188.
- HOSPITALS, SOCIAL SERVICE WORK IN, **37**: 467-71.
- HOSPITAL ADMINISTRATION, SOME UNSETTLED QUESTIONS IN, IN THE UNITED STATES, **20**: 328-55.
- Hotchkiss, Hiram, **4**: Sup. S., '93, 138, 142.
- HOTCHKISS, WILLARD E. Chicago Traction: A Study in Political Evolution, **28**: 385-404; Recent Phases of Chicago's Transportation Problem, **31**: 619-29.
- HOUGH, C. M. The Nation Should Superintend All Carriers, **32**: 218-24.
- HOURLICH, I. A. Trusts and Prices, **20**: 602-15.
- Houses, **51**: 21-2, 48-51, 82-3, 86, 88-90, 92, 94, 171, 193. See Housing.
- HOUSE, RELATION BETWEEN THE SMALL, AND THE TOWN PLAN, **51**: 148-53.
- HOUSE, THE OLD, AS A SOCIAL PROBLEM, **51**: 82-91.
- HOUSE, THE PROBLEM OF THE OLD CITY, **51**: 92-8.
- HOUSE OF COMMONS, EFFECTS OF GROUP SYSTEM ON, **5**: 508. See also **3**: 1-13.
- House of Representatives, **9**: 1-41; **29**: Sup. Mch., '07, 43, 44, 45.
- HOUSEHOLD EXPENDITURE, SOME UNCONSIDERED ELEMENTS IN, **48**: 112-16.
- HOUSEHOLD MANAGEMENT, THE COST OF LIVING AND, **48**: 127-30.
- HOUSEKEEPER, THE, AND COST OF LIVING, **48**: 256-8.
- Housekeeping: **48**: 96, 97, 98, 123, 257; cooperative, **37**: Sup. M., '11, 21; **51**: 55.
- HOUSEKEEPING, WASTE OF PRIVATE, **48**: 91-5.
- Housewives, **50**: 84.
- League: work of, **48**: 94. See Housing.
- HOUSEWIVES LEAGUE, WORK OF THE, **48**: 121-6.
- Housing: **1**: Sup. F., '91, 8; **3**: 330-62; **7**: 162, 364, 512-13; **17**: 547-8; **34**: 50; **35**: Sup. Mch. '10, 24; **37**: Sup. M. '11, 30; **49**: 72, 111, 143; **51**: 2, 3, 4, 8-16, 25-47, 68-81, 90, 110-11, 115-17, 125-40, 148, 150-62, 258; Birmingham, **9**: 305; Buffalo, **21**: 318; California, **52**: 168; Canada, **51**: 141; Chicago, **20**: 99-107; **21**: 382; cities, **25**: 248; city planning, **51**: 162-71; copartnership, **51**: 140-7; England, **10**: 121, 131; **21**: Sup. J., '03, 57; **26**: 779; **51**: 141; Europe, **51**: 67; Glasgow, **8**: 578; Great Britain, **25**: 281; immigration, **51**: 3; Jersey City, **20**: 129-49; **21**: Sup. J., '03, 8-22; London, **9**: 159; **16**: 160; negro, **49**: 53, 69, 73; New York City, **10**: 487-9; **12**: 161; **15**: 138; **16**: 164; **17**: 160-2; **20**: 637-8; **23**: 170-1; **51**: 14-15, 118, 120, 122-3; Philadelphia, **10**: 139-41; **20**: 111-20; **51**: 152, 165-9; Prussia, **3**: 78; rural, **51**: 110-16; transportation, **51**: 164; urban, **51**: 258. See Tenement houses.
- HOUSING, IN AMERICA, COPARTNERSHIP FOR, **51**: 140-7.
- HOUSING AND CITY PLANNING, THE INTERRELATION OF, **51**: 162-71.
- HOUSING AND HEALTH, **37**: 257-69.
- HOUSING. OLD CITY HOUSE, THE PROBLEM OF THE, **51**: 92-8.
- HOUSING. OLD HOUSE AS A SOCIAL PROBLEM, THE, **51**: 82-91.
- HOUSING AND THE HOUSING PROBLEM, **51**: 1-7.
- HOUSING, IMPROVED, OF THE POOR, **7**: 512.
- HOUSING AND THE REAL ESTATE PROBLEM, **51**: 132-9.
- HOUSING, RECORD KEEPING AS AN AID TO ENFORCEMENT, **51**: 117-24.
- HOUSING, THE RELIGIOUS VALUE OF PROPER, **51**: 41-7.
- HOUSING, RURAL, **51**: 110-16.
- HOUSING, TAXATION OF REAL ESTATE VALUES AND ITS EFFECTS ON, **51**: 34-40.
- HOUSING. TENEMENT HOUSE REGULATION: THE REASONS FOR IT: ITS PROPER LIMITATIONS, **20**: 83-95.
- HOUSING. SMALL HOUSE, RELATION BETWEEN THE, AND THE TOWN PLAN, **51**: 148-53.
- HOUSING AND TOWN PLANNING, Vol. **51**.
- HOUSING, RELATION BETWEEN TRANSIT AND, **51**: 154-61.
- HOUSING CONDITIONS IN BOSTON, **20**: 123-36.
- HOUSING CONDITIONS IN JERSEY CITY, **20**: 139-49; **21**: Sup. J., '03.
- HOUSING LEGISLATION, WHEREIN DIRECT, FAILS, **51**: 78-81.
- HOUSING MOVEMENT IN AMERICA, A BRIEF HISTORY OF, **51**: 8-16.
- HOUSING PROBLEM, THE, **20**: 79-150.
- HOUSING PROBLEM IN AMERICAN CITIES, THE, **25**: 248-72.
- HOUSING PROBLEM IN CHICAGO, **20**: 99-107.
- HOUSING PROBLEMS, CERTAIN ASPECTS OF THE, IN PHILADELPHIA, **20**: 111-20.
- HOUSING REFORM, COST FACTORS IN, **51**: 25-33.
- HOUSING REFORM THROUGH LEGISLATION, **51**: 68-77.
- HOUSING REGULATION, SOME EFFECTS OF, **51**: 99-103.
- HOUSING SURVEY, A, **51**: 125-31.
- Houston, Tex.: assessments in, **58**: 196; banks, **58**: 201; buildings, **58**: 201; commission government, **38**: 687; land, **58**: 222; taxation, **58**: 169-70, 194-7.
- HOUSTON, TEXAS, RESULTS OF COMMISSION GOVERNMENT IN, **38**: 901-5.
- HOUSTON PLAN OF TAXATION, THE, **58**: 194-7.

- HOUSTON, HERBERT S. Economic Pressure as a Means toward Conserving Peace, **61**: 270-3.
- Houston, Rev. Samuel, **29**: Sup. Meh., '07, 67.
- HOWARD, BURT ESTES. The Judicial Office in Germany, **25**: 328-34.
- HOWARD, GEORGE ELLIOTT. Changed Ideals and Status of the Family and the Public Activities of Women, **56**: 27-37.
- HOWE, FREDERIC C. Taxation of Quasi-Public Corporations in the State of Ohio and the Franchise Tax, **14**: 157-80; Federal Revenues and the Income Tax, **4**: 557-81; The Free Port an Agency for the Development of American Commerce, **59**: 236-44; Municipal Ownership—The Testimony of Foreign Experience, **57**: 194-208.
- HOWE, SAMUEL T. The Central Control of the Valuation of Taxable Subjects, **58**: 112-30.
- HOWERTH, IRA W. Present Condition of Sociology in the United States, **5**: 260-9.
- HOWES, L. G. The Field and Forest Club of Boston, **35**: 409-19.
- HOYT, HENRY M. Corporation Regulation by State and Nation, **32**: 235-9.
- Hucksters, **50**: 87, 147.
- Hudson's Bay, **45**: 47, 49-52, 55.
- HUDSON'S BAY, THE LEGAL STATUS OF, **45**: 47-55.
- Hudson county, N. J., **47**: 82.
- HUDSON COUNTY, NEW JERSEY, THE PARK SYSTEM OF, **35**: 273-9.
- Hudson River, **4**: Sup. S., '93, 8.
- HUEBNER, GROVER G. The Americanization of the Immigrant, **27**: 653-75; The Coffee Market, **38**: 610-20; Extent of Regulation of Ocean and Inland Water Transportation by the Federal Government, **55**: 17-47; Five Years of Railroad Regulation by the States, **32**: 138-56; Prussian Railway Rate Making and its Results, **29**: 323-41; Tariff Provisions for Promotion of Foreign Trade of the United States, **29**: 498-514.
- HUEBNER, S. S. Methods of Controlling Competition between Domestic Carriers by Water, **55**: 252-5; Main Features of the Present Foreign Trade of the United Kingdom, **23**: 84-104; Relation of the Government in Germany to the Promotion of Commerce, **24**: 525-39; Federal Supervision and Regulation of Insurance, **26**: 681-707; The Study of Insurance in American Universities, **28**: 82-100; The Development and Present Status of Marine Insurance in the United States, **26**: 421-52; Policy Contracts in Marine Insurance, **26**: 453-79; The Functions of Produce Exchanges, **38**: 319-53; The Distribution of Stockholdings in American Railways, **22**: 475-90; Bibliography on Securities and Stock Exchanges, **35**: 699-714; Advantages and Disadvantages of Shipping Conferences and Agreements in the American Foreign Trade, **55**: 243-52; Steamship Line Agreements and Affiliations in the American Foreign and Domestic Trade, **55**: 75-111; Scope and Functions of the Stock Market, **35**: 483-505; Introduction by. The Total Disability Provision in American Life Insurance Contracts, **59**: Sup. M., '15, iii-vi.
- Huerta, **54**: 138, 142-3, 157, 176-80, 211.
- HUFFCUT, E. W. Constitutional Aspects of the Government of Dependencies, **13**: Sup. M., '99, 19-45; International Liability for Mob Injuries, **2**: 69-84; Jurisprudence in American Universities, **2**: 488-93.
- HUGHES, B. F. Basis of Interest, **3**: 65-72.
- HUGO, GEORGE B. Conditions Fundamental to Industrial Peace, **44**: 18-27.
- Hull House, social settlement, **19**: 505-8, 515-16.
- HULL, WILLIAM I. The George Junior Republic, **10**: 73-86.
- HULME, THOMAS W. Federal Valuation of the Railroads in the United States, **63**: 182-90.
- Human nature, **60**: 200.
- HUMAN SOCIETY, INFLUENCE OF HEREDITY ON, **34**: 16-21.
- HUMAN SYSTEM, THE RESULT OF THE TEACHING OF THE EFFECT OF ALCOHOL ON THE, **32**: 604-11.
- HUMAN UNITS, VITALIZING THE NATION AND CONSERVING, THROUGH THE DEVELOPMENT OF AGRICULTURAL COMMUNITIES, **63**: 278-86.
- Humane Association, National, **22**: 545-6.
- Humanity Club of St. Louis, **13**: 140.
- Humanitarianism, **42**: 139.
- Hume, David, **4**: Sup. Meh., '94, 31, 41.
- HUMPHREY, WILLIAM E. Shipping Facilities Between the United States and South America, **38**: 621-37.
- Hungary, **1**: 103-31; **8**: 478. See Austria Hungary.
- HUNGARY, RAILROAD PASSENGER FARES IN, **11**: 103-31.
- HUNT, R. D. Legal Status of California, 1846-49, **12**: 387-408.
- HUNTER, ROBERT. A Plea for the Investigation of the Conditions Affecting the Length of Trade Life, **27**: 500-3.
- Huntingdon, W. Va., commission government, **57**: 50.
- HUNTINGTON, WEST VIRGINIA, RESULTS OF COMMISSION GOVERNMENT IN, **38**: 925-8.
- HURD, GEORGE A. Real Estate Bonds as an Investment Security, **30**: 350-73.
- HUSTON, J. P. The Use of Credit Currency by Country Banks, **36**: 654-68.
- HUTCHINSON, EMILIE J. The Socializing Influence of the Ballot upon Women, **56**: 105-10.
- HUTCHINSON, WOODS. Overworked Children on the Farm and in The School, **33**: Sup. Meh., '09, 116-21; Evidences of Race Degeneration in the United States, **34**: 43-7.
- Hydro-electric power, Ontario, **57**: 246-7.
- HYDRO-ELECTRIC SYSTEM, THE, IN TORONTO, **57**: 246-53.
- Hygiene, **3**: 776; **39**: 117; **41**: 249; **49**: 145. See Disease, Health, Hospitals.
- HYGIENE AND DEMOGRAPHY, INTERNATIONAL CONGRESS OF, **5**: 452-5.
- HYGIENE, MOUTH, AND ITS RELATION TO HEALTH, **37**: 472-86.
- IBERIC-AMERICA, A STUDY OF, **54**: 5-19.

- Iceland: prohibition, 56: 149; suffrage, 56: 93.  
 Idaho: 15: 161; 19: 147-8; 29: Sup. Mch., '07, 72; 53: 56; commissioners, 53: 7, 22; constitutional amendments, 43: 213; depreciation, 53: 17; initiative, 43: 86; legislature, 15: 161; public service commission, 53: 8; referendum, 43: 86; representation, 16: 244; suffrage, 19: 147-8; 56: 93; tax commission in, 58: 121, 124-5; white pine, 41: Sup. M., '12, 22.  
 IDE, HENRY C. Banking, Currency and Finance in the Philippine Islands, 30: 27-37.  
 IDLE PLANT, THE EFFECT OF, ON COSTS AND PROFITS, 61: 86-9.  
 Idleness, *see* Unemployment.  
 IDLENESS OR INDUSTRIAL EDUCATION, OVERWORK, 27: 342-53.  
 v. Ihering, R., 4: Sup. Mch., '94, 60, 102.  
 IHLSEN, JOHN The Problem of the Old City House, 51: 92-8.  
 Illinois: 4: Sup. S., '93, 124; 15: 405-25; 17: 76; 18: 556; 32: 513; 36: 307; 41: Sup. M., '12, 34-5, 71; 47: 62, 66-7; 50: 203; 52: 84, 119; 53: 54, 56; 62: 73-80, 85-6, 88-90; budgets, 62: 77-82, 85-90; charities, 18: 566; 46: 109; 47: 69; child labor, 19: 312-13; 20: 155-6; 25: 472; 27: 327; 29: 77-83, 94, 100; 33: Sup. Mch., '09, 153-61; 35: Sup. Mch., '10, 163; 38: Sup. Jy., '11, 160-1; Christian Temperance Union, 32: 513; civil service, 47: 101; commission government, 38: 748-56; compulsory arbitration, 36: 307; constitution, 47: 77; constitutional legislation, 13: 216; Consumers' League, 32: Sup. Jy., '08, 124-7; cooperative elevator companies, 50: 205; coroner in, 47: 68; counties, 47: 65; county government, 47: 8, 62-3, 68; county treasurer, 47: 67; courts, 46: 109, 111-14; dependent children, 18: 278-9; depreciation, 53: 17; efficiency and economy committee, 62: 89-90; elections, 13: 220; 47: 75; employment, 59: 169; finance, 47: 73; 62: 77-8, 90; grain, 38: 408; 50: 204-5, 208; indeterminate permit, 53: 139; industrial insurance, 38: 26; initiative, 43: 205; jails, 46: 109; 47: 70; juvenile court, 20: 259; 36: 57; 52: 144; juvenile offenders, 52: 142; labor, 36: Sup. S., '10, 32-42; legislative centralization, 47: 76; Legislative Reference Bureau, 62: 80, 88; prisoners, 52: 118; probation, 20: 260; public utilities commission, 53: 10; roads, 47: 74; schools, 47: 68, 75; sheriff, 47: 68; short ballot in, 47: 67; Steel Company, 42: 14, 16; street railways, 12: 153; suspension of rates, 53: 62; tax, 47: 73; township organization, 47: 62-78; valuations, 58: 115; Woman's Christian Temperance Association, 32: 513; women's clubs, 56: 83.  
 ILLINOIS BUDGET, THE, 62: 73-84.  
 ILLINOIS, BUDGET METHODS IN, 62: 85-90.  
 ILLINOIS CHILD LABOR LAW, THE OPERATION OF THE, 27: 327-30.  
 ILLINOIS, THE ENFORCEMENT OF CHILD LABOR LEGISLATION IN, 29: 93-103.  
 ILLINOIS, TEN YEARS' EXPERIENCE IN CHILD LABOR LEGISLATION IN, 38: Sup. Jy., '11, 144-8.  
 ILLINOIS, CHILDREN IN THE GLASS WORKS OF, 29: 77-83.  
 ILLINOIS CITIES, COMMISSION GOVERNMENT IN, 38: 748-56.  
 ILLINOIS, COUNTY AND TOWN GOVERNMENT IN, 47: 62-78.  
 ILLINOIS JAILS AND THE KANGAROO COURT, 46: 109-14.  
 ILLINOIS, GRAIN INSPECTION IN, 38: 396-408.  
 ILLINOIS, THE PRESENT CHILD LABOR SITUATION IN, 33: Sup. Mch., '09, 153-61.  
 Illiteracy: 9: 326; 32: Sup. Jy., '08, 58-9, 61-3; 35: Sup. Mch., '10, 54; 49: 179-80; 59: 53; children, 31: Sup. M., '08, 1-3; 38: Sup. Jy., '11, 45-6; 32: Sup. Jy., '08, 74-6; education, 32: Sup. Jy., '08, 57; immigrants, 10: 14; negro, 49: 22, 51, 177-85, 223; slaves, 49: 177.  
 ILLITERACY IN THE UNITED STATES, NEGRO, 49: 177-85.  
 Illness insurance: 48: 6; Europe, 48: 5. *See* Accidents, Sickness, Insurance, Workmen's Compensation.  
 Immigrants: 3: 388; 61: 30; Asiatic, 34: 410; Chinese, 45: 10-12, 109, 216; court, 52: 168; Hebrew, 61: 30; Hindu, 45: 13; housing, 51: 3; Italian, 61: 30; Japanese, 34: 223, 403-9; 45: 12; Jewish, 24: 196-7; 33: 399-406; negroes, 35: 45; 49: 32-7; Polish, 61: 30; recreation, 35: 357-67; rural communities, 4: Sup. Mch., '94, 67; 40: 69-80; Russian, 61: 30; Slavs, 24: 194-5; unemployment, 61: 43; wage, 48: 75, 76. *See* Immigration.  
 IMMIGRANT, THE AMERICANIZATION OF THE, 27: 653-75.  
 IMMIGRANTS, THE EXCLUSION OF ASIATIC, IN AUSTRALIA, 34: 410-84.  
 IMMIGRANTS, CHINESE AND JAPANESE, 34: 223-30.  
 IMMIGRANTS AND CRIME, 34: 117-24.  
 IMMIGRANT, THE JEWISH, AS AN INDUSTRIAL WORKER, 33: 399-406.  
 IMMIGRANT, JUSTICE FOR THE, 52: 159-68.  
 IMMIGRANTS, THE NEGRO AND THE, IN THE TWO AMERICAS, 49: 32-7.  
 IMMIGRANTS, A WESTERN VIEW OF THE RACE QUESTION, 34: 269-71.  
 IMMIGRANT, OUR RECREATION FACILITIES AND THE, 35: 357-67.  
 IMMIGRANT RURAL COMMUNITIES, 40: 69-80.  
 Immigration: 1: Sup. F., '91, 3-4; 5: 824; 6: 348; 10: 1-19; 26: 6; 34: 130-8, 373; 44: 45, 54, 138, 142; 48: 66-77; 52: 160, 173; 55: 24; 61: 8, 22, 30-3, 36-8, 42, 66-70; Asiatic, 34: 257-61; Australasian, 24: 207; Canada, 45: 11, 100, 105-6, 171, 244; charities, 21: 366, 391-2; child labor, 21: 439; Chinese, 26: 11; 39: 74-82; cities, 1: Sup. F., '91, 3-4; Cleveland, 52: 168; democracy, 44: 34; effect of, 44: 40; 61: 33; European, 34: 257; European war, 61: 32, 37-8; 63: 285; Hindu, 45: 10; illiteracy, 10: 14; Japanese, 34: 403-9; 39: 165; minimum wage, 61: 43; New York, 52: 172; ocean transportation, 61: 33; oriental, 34: 257-61, 300-5, 329-37; restriction, 54: 274; Turkish, 61: 32; wage-earners, 34: 125; wages, 48: 67. *See* Aliens, Colonies, Immigrants, Naturalization.  
 IMMIGRATION, INFLUENCE OF, ON AGRICULTURAL DEVELOPMENT, 33: 373-9.  
 IMMIGRATION AND THE AMERICAN LABORING CLASSES, 34: 125-9.

- IMMIGRATION, AUSTRALASIAN METHODS OF DEALING WITH, **24**: 207-20.
- IMMIGRATION, A CENTRAL AMERICAN PROBLEM, **37**: 743-50.
- IMMIGRATION, DIFFUSION OF, **24**: 159-65.
- IMMIGRATION, REASONS FOR ENCOURAGING JAPANESE, **34**: 294-9.
- IMMIGRATION. THE JEWISH IMMIGRANT AS AN INDUSTRIAL WORKER, **33**: 399-406.
- IMMIGRATION INTO KOREA, JAPANESE, **34**: 403-9.
- IMMIGRATION AND THE MINIMUM WAGE, **48**: 66-77.
- IMMIGRATION, MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING ORIENTAL, **34**: 300-5.
- IMMIGRATION, MISUNDERSTANDING OF EASTERN AND WESTERN STATES REGARDING ORIENTAL, **34**: 257-61.
- IMMIGRATION, OPPOSITION TO ORIENTAL, **34**: 239-46.
- IMMIGRATION, THE PROBLEM OF ORIENTAL, IN THE STATE OF WASHINGTON, **34**: 329-37.
- IMMIGRATION IN ITS RELATION TO PAUPERISM, **24**: 185-205.
- IMMIGRATION INTO THE PHILIPPINES, ORIENTAL, **34**: 388-94.
- IMMIGRATION, PROBLEMS OF, **24**: 151-8.
- IMMIGRATION, PROPOSALS AFFECTING, **24**: 221-36.
- IMMIGRATION QUESTION, THE, **10**: 1-19.
- IMMIGRATION, RACE PROGRESS AND, **34**: 130-8.
- IMMIGRATION RESTRICTION LEAGUE, **5**: 824-5.
- IMMIGRATION, SELECTION OF, **24**: 167-84.
- IMMIGRATION, UNEMPLOYMENT AND, **61**: 40-4.
- IMMIGRATION, THE WAR AND, **61**: 30-9.
- Impeachment: **2**: 571; **29**: Sup. Mch., '07, 40; **43**: 25, 263.
- Imperialism, influence of, **18**: 189-225.
- Impersonal taxation, *see* Taxation.
- IMPERSONAL TAXATION, **30**: Sup. S., '07.
- Implements, farm, **22**: 499; **57**: 652.
- Imports, **13**: Sup. M., '99, 109; **36**: 505; **39**: 157. *See* Commerce, Trade, Foreign Trade, Reciprocity, Exports.
- IMPORT DUTIES: HOW THEY SHOULD BE LEVIED, **32**: 429-33.
- Imprisonment, **46**: 35, 54, 138. *See* Prisons, Jails, Penitentiaries, Courts.
- Improvements, internal, **2**: 786; **4**: Sup. S., '93, 110-21; public, **41**: 209.
- IMPROVEMENT, THE, OF LABOR CONDITIONS IN THE UNITED STATES, **27**: M., '06.
- IMPROVEMENTS, AMERICAN SOCIETY OF MUNICIPAL, OMAHA, BUFFALO, LONDON, **6**: 557-61.
- Income: **4**: Sup. Mch., '94, 27; **30**: Sup. S., '07, 95; **41**: Sup. M., '12, 45; **44**: 36, 38, 45, 59, 68; **44**: Sup. N., '12, 91; **48**: 42, 84; **50**: 179, 181; **58**: 66-7, 72-3, 215; **61**: 100; **62**: 37-8, 48; corporate, **58**: 38; equalization, **44**: 27; family, **48**: 42, 119; **59**: 105; laborer, **48**: 69; minimum wage, **48**: 53; taxation, **30**: Sup. S., '07, 82-106; timber bonds, **41**: Sup. M., '12, 48; unemployment, **61**: 99. *See* Finance.
- INCOME, UTILIZATION OF THE FAMILY, **48**: 117-20.
- INCOME BASIS, THE VALUATION OF BONDS ON AN, **30**: 201-12.
- Income tax: **4**: 557; **6**: 278-9; **30**: Sup. S., '07, 85, 87-8, 105; **58**: 2-3, 15-22, 24-33, 37, 42-3, 63, 77-8, 84-6; **62**: 117-18; corporate incomes, **58**: 38; corporations, **58**: 18-19, 23-4; England, **58**: 22, 38, 77; exemptions, **58**: 17, 21, 34-6; federal, **58**: 32-43; Germany, **58**: 77; Great Britain, **58**: 49; holding companies, **58**: 19-20; partnerships, **58**: 27-8; property tax, **58**: 85; Prussia, **58**: 38; **62**: 202; taxable income, **58**: 38-9; Wisconsin, **58**: 9, 65-86, 101-2. *See* Taxation, Wisconsin.
- INCOME TAX, SOME ASPECTS OF THE, **58**: 15-31.
- INCOME TAX, AMENDING THE FEDERAL, **58**: 32-43.
- INCOME TAX, THE FEDERAL REVENUES AND THE, **4**: 557-81.
- INCOME TAX, THE WISCONSIN, **58**: 65-76.
- INCOME TAX, THE WISCONSIN, **58**: 77-86.
- INCOME TAX DECISIONS AND CONSTITUTIONAL CONSTRUCTION, **6**: 268-79.
- INCORPORATION, FEDERAL, OF INTERSTATE CORPORATIONS, **42**: 303-9.
- Increment: **58**: 205, 206; final, **3**: 30-44. — tax, **58**: 207. *See* Taxation, Taxes.
- INCREMENT TAX, ANNUAL REASSESSMENT VERSUS THE UNEARNED, **58**: 202-13.
- INDEMNITY, STATE, FOR ERRORS OF CRIMINAL JUSTICE, **52**: 108-14.
- Independence, right of small nations to, **61**: 245.
- Independent treasury, **3**: 180-210; **6**: 397-8, 402. *See* Bank, Finance, Treasury.
- INDEPENDENT TREASURY VS. BANK DEPOSITORIES, THE: A STUDY IN STATE FINANCE, **20**: 571-601.
- INDEPENDENT TREASURY, INFLUENCE ON BUSINESS OF THE, **3**: 180-210.
- Indeterminate franchise: **53**: 12, 46, 135; **57**: 9, 12; Massachusetts, **53**: 12, 136; municipal ownership, **53**: 76; New York, **53**: 142; Wisconsin, **53**: 12, 75. *See* Franchises.
- INDETERMINATE FRANCHISE, EFFECTS OF THE, UNDER STATE REGULATION, **53**: 135-47.
- Indeterminate permits: **53**: 12, 97, 107, 135, 140, 143, 145; **57**: 138-41, 160; franchises, **53**: 138; Illinois, **53**: 139; Indiana, **53**: 13, 135, 141, 143; legality, **53**: 141; Massachusetts, **53**: 143; water companies, **53**: 12; Wisconsin, **53**: 102, 105, 135, 138, 143; **57**: 158.
- INDETERMINATE PERMIT, THE, AS A SATISFACTORY FRANCHISE, **37**: 142-9.
- Indeterminate sentence, **21**: 433, 435-7; **36**: 22; **46**: 37, 66, 130, 158, 164-5. *See* Prisons, Jails, Courts.
- India: **13**: Sup. M., '99, 10; **55**: 81; **60**: 22-6, 28; cooperative credit, **46**: 173; imports, **60**: 28-30; **62**: 26; prices, **14**: 43; steamship lines, **55**: 67; trade, **60**: 23-6, 28, 34.
- INDIA, THE EFFECT OF THE EUROPEAN WAR ON AMERICA'S TRADE WITH, **60**: 22-34.
- INDIAN CURRENCY, **4**: 493-528.
- INDIAN EDUCATION, **2**: 813-37.
- INDIAN LANDS: THEIR ADMINISTRATION WITH REFERENCE TO PRESENT AND FUTURE USE, **33**: 620-30.
- Indiana: **14**: 266; **15**: 168, 405-25; **18**: 372; **36**: 39; **37**: 194; **46**: 70; **47**: 248, 250; **52**:



- 84; **53**: 17, **60**: 22; accounting, **47**: 203, 253; budget, **47**: 251; **62**: 227; charities, **18**: 370-1; **23**: 396-8; **24**: 412; child labor, **20**: 155-6; **25**: 472; **35**: Sup. Mch., '10, 163-4; **38**: Sup. Jy., '11, 149-53, 161-2; cooperative incorporation law, **50**: 203; counties, **14**: 266; **15**: 168; **47**: 21, 248-54; depreciation, **53**: 17; employment, **59**: 169; indeterminate permit, **53**: 13, 55, 135, 139, 141, 143; minimum wage, **48**: 49; probation, **20**: 260; schools, **47**: 253; sheriff, **47**: 252; state banks, **3**: 532; **36**: 695; tax commission, **58**: 121; taxation, **47**: 253; township organization, **14**: 266; **15**: 168; valuations, **58**: 115.
- INDIANA, THE FORWARD MOVEMENT IN CHILD LABOR REFORM IN, **38**: Sup. Jy., '11, 149-53.
- INDIANA, CHECKS ON COUNTY GOVERNMENT IN, **47**: 248-54.
- Indianapolis: **14**: 145; **16**: 320; **44**: 76; charities in, **23**: 181-2; finances, **16**: 320; gas, **57**: 76, 96; market, **50**: 131, 139-52; paving, **29**: 592; street railways, **14**: 145; trolley freight, **48**: 220; Winona Technical Institute of, **44**: 76.
- INDIANAPOLIS MARKET, THE, **50**: 131.
- Indians, **2**: 836; **18**: 560-1.
- INDIANS, HEALTH PROBLEMS OF THE, **37**: 347-53.
- Indictment, **52**: 104-5.
- INDIVIDUAL, WORKING FOR THE, **46**: 66-71.
- INDIVIDUAL, THE REFORM OF THE, **46**: 61-5.
- INDIVIDUAL DETERMINISM AND SOCIAL SCIENCE, **7**: 270-85.
- Individualism, **4**: 152, 154; **4**: Sup. Mch., '94, **24**: 111, 126; **43**: 11, 36, 41; **44**: 26, 104, 107, 122; **44**: Sup. N., '12, 86, 94. *See* Communism, Socialism.
- Industrial accidents: **38**: 205-17; **44**: 82, 86; **61**: 257; **63**: 269-70; Europe, **48**: 5; Sweden, **15**: 141. *See* Accidents, Workmen's Compensation, Insurance.
- INDUSTRIAL ACCIDENTS, BURDEN OF, **38**: 76-82.
- INDUSTRIAL ACCIDENTS, INJUSTICE OF THE PRESENT SYSTEM, **38**: 183-5.
- INDUSTRIAL ACCIDENTS, PROGRESS IN LEGISLATION CONCERNING, **38**: 205-17.
- INDUSTRIAL ACCIDENTS, PREVENTION OF, **38**: 71-3.
- Industrial Agreements, *see* Agreements.
- INDUSTRIAL ARBITRATION IN AUSTRALIA, **37**: 203-22.
- INDUSTRIAL ARBITRATION, NECESSITY OF, **36**: 311-20. *See* Arbitration.
- Industrial Bureau, Boston, **57**: 274.
- INDUSTRIAL CAUSES AFFECTING AMERICAN COMMERCIAL POLICY SINCE CIVIL WAR, **23**: 43-54.
- INDUSTRIAL CENTRES, THE SIGNIFICANCE OF RECENT CITY GROWTH: THE ERA OF SMALL, **23**: 223-36.
- Industrial combinations, **15**: 41; **24**: 239; **42**: 3, 7, 20, 22-4, 48-60, 83, 127, 138, 140, 142-3, 153, 156, 172, 202-15, 265. *See* Combinations, Industrial Corporations.
- INDUSTRIAL COMBINATIONS, BENEFICIAL EFFECTS OF, ON LABOR CONDITIONS, **42**: 20-4.
- INDUSTRIAL COMBINATIONS, THE BENEFITS OF, **42**: 119-24.
- INDUSTRIAL COMBINATIONS. THE CANADIAN COMBINES INVESTIGATION ACT, **42**: 149-55.
- INDUSTRIAL COMBINATIONS, CONTRIBUTION OF, TO NATIONAL WELFARE, **42**: 134-9.
- INDUSTRIAL COMBINATIONS, HARMFUL EFFECTS OF, ON LABOR CONDITIONS, **42**: 3-9.
- INDUSTRIAL COMBINATIONS, PUBLICITY IN AFFAIRS OF, **42**: 140-8.
- INDUSTRIAL COMBINATIONS, RAILWAY DISCRIMINATIONS AND, **15**: 41-50.
- INDUSTRIAL COMBINATIONS, THE RELATION OF TRUST COMPANIES TO, AS ILLUSTRATED BY THE UNITED STATES SHIPBUILDING COMPANY, **24**: 239-70.
- INDUSTRIAL COMBINES AND NATIONAL PROGRESS, **42**: 125-33.
- Industrial commission, **13**: 134; **42**: 65; **48**: 212.
- INDUSTRIAL CONFLICTS, THE "MUTUAL GOVERNMENT" OR "JOINT COMMISSION" PLAN OF PREVENTING, **27**: 531-42.
- Industrial corporations, *see* Industrial Combinations, Combinations.
- INDUSTRIAL CORPORATIONS, PUBLICITY OF ACCOUNTS OF, **42**: 98-107.
- Industrial democracy, **59**: 210-11. *See* Democracy.
- INDUSTRIAL DEMOCRACY, A NEW, **44**: 28-38.
- Industrial depressions, **6**: 165; **59**: 143; **60**: 126; **61**: 19. *See* Crises, Panics.
- development, **35**: Sup. M., '10, 23; **51**: 217-18.
- INDUSTRIAL DEVELOPMENT, SOUTHERN RAILROADS AND, **35**: 99-104.
- Industrial disputes, **36**: 407; **42**: 149; **44**: 1. *See* Labor unions.
- INDUSTRIAL DISPUTES, **27**: 521-30.
- INDUSTRIAL DISPUTES, ARBITRATION OF, **24**: 285-95.
- INDUSTRIAL DISPUTES ACT, THE CANADIAN, **44**: 1-9.
- INDUSTRIAL DISPUTES, THE GERMAN COURTS FOR THE ARBITRATION OF, **36**: 445-78.
- INDUSTRIAL DISPUTES INVESTIGATION ACT, THE CANADIAN, **36**: 419-37.
- INDUSTRIAL DISPUTES, THE SERVICES OF LABOR UNIONS IN THE SETTLEMENT OF, **27**: 521-30.
- INDUSTRIAL DISPUTES, THE NEXT LEGISLATION ON, IN MASSACHUSETTS, **36**: 407-18.
- INDUSTRIAL DISPUTES IN NEW ZEALAND, SETTLEMENT AND PREVENTION OF, **36**: 438-44.
- Industrial education: **28**: 102; **33**: 185; **42**: 136; **44**: 32, 63, 76, 78-9, 130-40; **48**: 8; **49**: 219-32; **59**: 34; Cincinnati, **44**: 30, 77; factories, **44**: 130-40; labor unions, **33**: 185; negro, **49**: 55; scientific management, **44**: 136.
- INDUSTRIAL EDUCATION, **33**: J., '09.
- INDUSTRIAL EDUCATION. BOOT AND SHOE INDUSTRY, TRADE TEACHING IN THE, **33**: 155-62.
- INDUSTRIAL EDUCATION. ELEMENTARY TRADE TEACHING, **33**: 33-41.
- INDUSTRIAL EDUCATION, FACTORY ORGANIZATION IN RELATION TO, **44**: 130-40.
- INDUSTRIAL EDUCATION, THE POSITION OF LABOR UNIONS REGARDING, **33**: 185-224.
- INDUSTRIAL EDUCATION, RELATION OF, TO NATIONAL PROGRESS, **33**: 1-12.
- INDUSTRIAL EDUCATION, THE WORK OF THE NATIONAL SOCIETY FOR THE PROMOTION OF, **33**: 13-22.



- INDUSTRIAL EDUCATION, OVERWORK, IDLENESS OR,** 27: 342-53.
- INDUSTRIAL EDUCATION OF THE NEGRO AND THE PUBLIC SCHOOLS,** 49: 219-32.
- INDUSTRIAL EDUCATION. POLYTECHNIC INSTITUTE, BROOKLYN, TECHNICAL EDUCATION AT THE,** 33: 97-104.
- INDUSTRIAL EDUCATION. TRADE TEACHING UNDER THE AUSPICES OF THE TYPOGRAPHICAL UNION,** 33: 178-84.
- INDUSTRIAL EDUCATION. VOCATIONAL TRAINING AND TRADE TEACHING IN THE PUBLIC SCHOOLS,** 33: 23-32.
- INDUSTRIAL EDUCATION. WOMEN, INDUSTRIAL TRAINING OF,** 33: 119-26.
- Industrial efficiency,** 48: 91; 59: 125; 61: 113-15, 183, 186.
- INDUSTRIAL EFFICIENCY, CHILD LABOR LEGISLATION—A REQUISITE FOR,** 25: 542-50.
- INDUSTRIAL EFFICIENCY, THE PRINCIPLES OF, APPLIED TO THE FORM OF CORPORATE ORGANIZATION,** 61: 183-6.
- INDUSTRIAL EFFICIENCY, A FUNCTIONALIZED EMPLOYMENT DEPARTMENT AS A FACTOR IN,** 61: 112-20.
- INDUSTRIAL EFFICIENCY, A NATIONAL SYSTEM OF LABOR EXCHANGES IN ITS RELATION TO,** 61: 138-45.
- INDUSTRIAL EFFICIENCY OF THE NEGRO, THE BEREAH SCHOOL OF PHILADELPHIA AND THE,** 33: 111-18.
- Industrial establishments,** 61: 129, 131, 178-9.
- INDUSTRIAL ESTABLISHMENT, SCIENTIFIC MANAGEMENT APPLIED TO THE STEADYING OF EMPLOYMENT, AND ITS EFFECT IN AN,** 61: 103-11.
- Industrial injuries, see Accidents, Insurance, Workmen's compensation, Employers' liability.**
- INDUSTRIAL INJURIES, ENTERPRISE LIABILITY FOR,** 38: 257-61.
- Industrial insurance,** 38: 57. *See Insurance, Accidents.*
- INDUSTRIAL INSURANCE,** 26: 283-99.
- INDUSTRIAL INSURANCE, SOME FEATURES OF OBLIGATORY,** 38: 23-30.
- Industrial management, see Management, Scientific management.**
- INDUSTRIAL OPPORTUNITY, THE AMERICAN, Vol. 59.**
- Industrial organization,** 59: 210; 61: 107, 114, 121-6, 191-3.
- INDUSTRIAL OUTPUT AND SOCIAL EFFICIENCY,** 59: 125-32.
- Industrial partnership,** 20: 61-77.
- INDUSTRIAL PARTNERSHIP, A PROMISING VENTURE IN,** 44: 97-103.
- Industrial peace,** 44: 10-17, 107, 112-15, 119-29, 142.
- INDUSTRIAL PEACE, THE OUTLOOK FOR, Vol. 44.**
- INDUSTRIAL PEACE, CONDITIONS FUNDAMENTAL TO,** 44: 18-27.
- INDUSTRIAL PEACE, EDUCATION AND,** 44: 119-29.
- INDUSTRIAL PEACE, THE NATIONAL CIVIC FEDERATION AND,** 44: 10-17.
- INDUSTRIAL PEACE ACTIVITIES OF THE NATIONAL ELECTRIC LIGHT ASSOCIATION,** 44: 86-96.
- INDUSTRIAL PEACE FROM THE STANDPOINT OF A TRADE UNIONIST,** 44: 141-4.
- INDUSTRIAL PENOLOGY,** 46: 1-3.
- INDUSTRIAL PROBLEMS, ATTITUDE OF THE COURTS TOWARDS,** 44: 104-13.
- INDUSTRIAL RELATIONS, PROFIT SHARING AS AN INFLUENCE IN,** 59: 200-8.
- Industrial schools,** 3: 357; 23: 563-5; 25: 409-13; 29: 475; 49: 228, 232. *See Schools, Education.*
- INDUSTRIAL SCHOOL OF COLUMBUS, GEORGIA, THE SECONDARY,** 33: 42-9.
- INDUSTRIAL STOCKS AS INVESTMENTS,** 35: 674-8.
- Industrial Trade Commission,** 42: 305.
- Industrial training,** 33: 109; 35: Sup. Mch., '10, 33; 59: 101.
- INDUSTRIAL TRAINING OF WOMEN, THE,** 33: 119-26.
- Industrial unrest,** 35: Sup. Mch., '10, 79-80.
- INDUSTRIAL UNREST, SOME THOUGHTS ON,** 59: 209-11.
- Industrial welfare, see Welfare.**
- INDUSTRIAL WORKER, THE JEWISH IMMIGRANT AS AN,** 33: 399-406.
- INDUSTRIALISM, EFFECT OF, UPON POLITICAL AND SOCIAL IDEAS,** 35: 134-42.
- Industries:** 9: 178-97; 10: 60; 17: 385, 562; 18: 388, 574; 29: 238; 42: 127, 135; 44: 11, 18, 23, 39, 104, 128; 44: Sup. N., '12, 11, 18, 44, 76; 45: 39; 51: 216-21; 59: 86-95, 190, 253; 60: 6-7, 10-11, 59, 111, 124, 143; 61: 33, 48-9, 112, 127-8, 174, 176-7, 253; 63: 285; competition, 42: 63; 59: 149-50; constitutional organization, 2: 361; corporate management, 15: Sup. M., '00, 33; decentralization, 44: 116; democracy, 44: 33; domestic, 48: 91; European war, 60: 12; 61: 6, 45-6; government control, 15: Sup. M., '00, 18; 60: 110; governmental regulation, 42: 98, 109, 113-15; regularization, 61: 17; regulation, 2: 423; 32: 75; specialization, 42: 55, 59; unemployment, 61: 21; wages, 60: 21; women, 35: Sup. M., '10, 18.
- INDUSTRIES, AMERICA'S AS AFFECTED BY THE EUROPEAN WAR,** 61: 1-3.
- INDUSTRY. ARBITRATION OF INDUSTRIAL DISPUTES,** 24: 285-95.
- INDUSTRY, CHILD LABOR IN SOUTHERN,** 25: 430-6.
- INDUSTRY, THE POSSIBILITY OF COMPETITION IN COMMERCE AND,** 42: 63-6.
- INDUSTRY, CONCENTRATION OF, AND MACHINERY IN THE UNITED STATES,** 9: 178-97.
- INDUSTRIES, PLANNING FOR DISTRIBUTION, OF,** 51: 216-21.
- INDUSTRY, THE INVASION OF FAMILY LIFE BY,** 34: 90-6.
- INDUSTRY, THE FUNCTION OF GOVERNMENT IN ITS RELATION TO,** 60: 58-9.
- INDUSTRY, THE GOVERNMENT IN ITS RELATION TO,** 24: Jy., '04.
- INDUSTRY AND LABOR, EUROPEAN WAR INFLUENCES UPON AMERICAN,** 61: 4-10.
- INDUSTRY, ATTITUDE OF LABOR TOWARDS GOVERNMENT REGULATION OF,** 32: 75-81.
- INDUSTRY, THE LABOR TURN-OVER AND THE HUMANIZING OF,** 61: 127-37.

- INDUSTRY, PHYSICAL AND MEDICAL ASPECTS OF LABOR AND, 27: 465-90.
- INDUSTRY, EFFECTS OF INDUSTRIALISM UPON POLITICAL AND SOCIAL IDEAS, 35: 134-42.
- INDUSTRY. THE BASIS OF THE DEMAND FOR THE PUBLIC REGULATION OF INDUSTRIES, 2: 433-49.
- INDUSTRY, RISKS IN MODERN, 38: Jy, '11.
- INDUSTRIES, WORKMEN'S COMPENSATION AND THE, OF MASSACHUSETTS, 38: 238-40.
- INDUSTRY, WOMAN'S PLACE IN, AND LABOR ORGANIZATIONS, 24: 343-53.
- Infant mortality: 31: 490; 41: 69; 49: 143; Baltimore, 31: 487; Buffalo, 31: 488; Cincinnati, 31: 489; Philadelphia, 31: 486; prevention, 41: 69; Providence, 31: 490; Rochester, 31: 491; St. Louis, 31: 487.
- INFANT MORTALITY IN THE AMERICAN CITIES, 31: 484-91.
- INFANT MORTALITY, THE WARFARE AGAINST, 37: 532-42.
- INFANTILE BLINDNESS, PREVENTION OF, 37: 517-31.
- INFERIOR COURTS, ADMINISTRATION OF CRIMINAL LAW IN THE, 36: 169-74.
- INFORMATION, BUREAU OF, AND REPORT FOR THE INSULAR POSSESSIONS, A, 30: 123-9.
- INGERSOLL, C. H. War—Or Scientific Taxation, 61: 252-6.
- INGLE, WILLIAM. Credit Reformation, 63: 97-104.
- Inheritance tax, 30: Sup. S., '07, 110, 125, 127, 130; 58: 60-1, 87-94, 133; 62: 195. See Wisconsin.
- INHERITANCE TAX, THE, 58: 87-94.
- Initiative: 3: 1-13; 6: 365-7; 11: 180-1; 19: 151; 28: 421, 426; 29: Sup. Mch., '07, 6, 7, 14, 21, 25, 42, 51; 43: 3-17, 19-20, 23-4, 28, 37, 39, 70, 81-145, 159-78, 183-4, 186, 194-7, 203-15; America, 43: 84; Arizona, 43: 86, 104; Arkansas, 43: 85, 86, 104; California, 43: 86, 105; Colorado, 43: 86, 104; commission cities, 38: 823-32; commission government, 38: 872; franchises, 38: 791, 794; Idaho, 43: 86; Illinois, 38: 752; 43: 205; Maine, 43: 85, 101, 159-78, 199, 210; Michigan, 43: 58, 85, 104, 146-58; Missouri, 43: 85; Montana, 43: 85; Nebraska, 43: 86; Nevada, 43: 86; North Dakota, 43: 86; Ohio, 43: 191-202; Oklahoma, 43: 99, 101, 161; Oregon, 43: 39, 70, 84-5, 91, 92, 94-7, 160-211; Pasadena, 57: 217; San Francisco, 19: 151; South Dakota, 43: 84, 87, 89, 160; Switzerland, 6: 367; 43: 110-45; United States, 43: 204; Utah, 43: 84, 160; Washington, 43: 86; Wisconsin, 43: 179-90; Wyoming, 43: 86, 208. See Direct Legislation, Referendum.
- INITIATIVE, REFERENDUM AND RECALL, Vol. 43.
- INITIATIVE, REFERENDUM AND RECALL, THE, 43: 17-31.
- INITIATIVE AND REFERENDUM IN COMMISSION CITIES, THE, 38: 823-32.
- INITIATIVE, REFERENDUM AND RECALL, FUNCTIONS OF THE, 43: 3-16.
- INITIATIVE AND REFERENDUM, MAINE'S EXPERIENCE WITH THE, 43: 159-78.
- INITIATIVE, THE REFERENDUM AND, IN MICHIGAN, 43: 146-58.
- INITIATIVE AND REFERENDUM AMENDMENTS, THE, IN THE PROPOSED OHIO CONSTITUTION, 43: 191-202.
- INITIATIVE AND REFERENDUM, SOME CONSIDERATIONS UPON THE STATE-WIDE, 43: 203-15.
- INITIATIVE AND REFERENDUM, PROVISIONS FOR STATE-WIDE, 43: 81-109.
- INITIATIVE, REFERENDUM AND RECALL IN SWITZERLAND, THE, 43: 110-145.
- INITIATIVE AND REFERENDUM, THE WISCONSIN PLAN FOR THE, 43: 179-90.
- Injunctions, 32: 206; 36: 147.
- INJUNCTION, PROPER BOUNDS OF THE USE OF THE, IN LABOR DISPUTES, 36: 288-301.
- INJUNCTION IN TRADE DISPUTES, USE AND ABUSE OF, 36: 87-8, 89-103, 104-18, 119-26, 127-36, 137-41.
- INJUNCTION ORDER, FREE SPEECH AND THE, 36: 255-64.
- Injuries, 2: 69-84. See Accidents.
- INJURIES, ENTERPRISE LIABILITY FOR INDUSTRIAL, 38: 257-61.
- INLAND WATER TRANSPORTATION, REGULATION OF OCEAN AND, BY THE FEDERAL GOVERNMENT, 55: 17-47.
- Inland waterways, 3: Sup. S., '93, 10-11.
- INLAND WATERWAYS OF GREAT BRITAIN AND THE PLANS UNDER CONSIDERATION FOR THEIR IMPROVEMENT, THE, 31: 228-45.
- INLAND WATERWAYS POLICY, OUR NATIONAL, 31: 1-11.
- INLAND WATERWAYS OF THE SOUTH, THE, 35: 114-19.
- INLAND WATERWAYS, THEIR RELATION TO TRANSPORTATION, 4: Sup. S., '93.
- INNOCENT, PUNISHING THE, 46: 142-6.
- INSANE PERSONS, TO WHAT EXTENT SHOULD, BE AMENABLE TO CRIMINAL LAW, 36: 161-8.
- Insanity, 3: 366; 10: 482; 17: 555; 18: 373, 567. See Feeble-minded.
- INSANITY, ALCOHOLISM AS A CAUSE OF, 34: 81-4.
- Inspection: 41: 86, 120, 217, 292; 41: Sup. M., '12, 6; 53: 263-7; medical, 41: 253.
- INSPECTION, TENDENCIES OF FACTORY LEGISLATION AND, 20: 233-54.
- INSPECTION IN ILLINOIS, GRAIN, 38: 396-408.
- INSPECTION OF MEAT SUPPLY, THE RECENT, 28: 317-37.
- INSPECTION OF PUBLIC SCHOOLS, MEDICAL, 25: 290-8.
- INSPECTOR, THE DIFFICULTIES OF A FACTORY, 29: 125-31.
- Institutions, 2: 597; 36: 39; 39: 32; 41: 188; 44: 78.
- INSULAR CASES, THE SUPREME COURT AND THE, 18: 226-50.
- INSULAR POSSESSIONS, A BUREAU OF INFORMATION AND REPORT FOR THE, 30: 123-9.

- INSULAR POSSESSIONS OF THE UNITED STATES, NATURALIZATION AND CITIZENSHIP IN THE, **30**: 104-14.
- Insurance: **3**: 348; **4**: 55; **17**: 163, 171; **38**: 15-22; **41**: Sup. M., '12, 70; **42**: 99-100, 101, 103-4, 181, 200, 207, 298, 318; **51**: 107; **55**: 208-26; **59**: Sup. M., '15, 45, 63-6; Belgium, **62**: 73-84; child labor, **18**: 564; coöperative, **40**: 61; disability, **59**: Sup. M., '15, 1, 45; fire, **13**: 279; **22**: 413; **26**: 359, 391; **35**: 687; **51**: 105; government, **38**: 248; Holland, **18**: 370; illness, **48**: 5-7; income tax, **58**: 39; industrial, **26**: 283; **36**: 3; life, **24**: 475-88; **35**: 687; **59**: Sup. M., '15, 96; Negroes, **49**: 137; paupers, **18**: 564; policy forms, **26**: 523-74; railways, **6**: 424-68; regulation, **26**: 681; social, **59**: 210; state, **24**: 331-42; **38**: 173; unemployment, **8**: 586; **9**: 166; **48**: 7, 8; **61**: 18; voluntary, **38**: 251; women workers, **37**: Sup. M., '11, 84; workmen's, **24**: 331-42; **33**: 246; **38**: 241. See Fire insurance, Life insurance, Marine insurance, Liability insurance, Disability insurance, Accident insurance, Industrial Accidents.
- INSURANCE, **26**: S., '05.
- INSURANCE, ACCIDENT, **26**: 483-98.
- INSURANCE BANK, BELGIUM'S GOVERNMENT, **17**: 467-9.
- INSURANCE AND COMMERCIAL ORGANIZATIONS, **24**: N., '04.
- INSURANCE COMPANIES AND EMPLOYERS' LIABILITY LEGISLATION, CASUALTY. **38**: 15-22.
- INSURANCE COMPANIES, STATE SUPERVISION OF, **26**: 317-34.
- INSURANCE. EMPLOYEES' BENEFIT ASSOCIATION OF THE INTERNATIONAL HARVESTER COMPANY, **33**: 246-57.
- INSURANCE OF EMPLOYEES, RAILWAY DEPARTMENTS FOR THE RELIEF AND, **6**: 424-68.
- INSURANCE, FEDERAL SUPERVISION AND REGULATION OF, **26**: 681-707.
- INSURANCE, THE TRUE BASIS OF FIRE, **24**: 463-74.
- INSURANCE—EXPENSES—PROFITS—PROBLEMS, FIRE, **24**: 446-62.
- INSURANCE POLICY, STANDARD FIRE, **26**: 359-90.
- INSURANCE RATES AND METHODS, FIRE, **22**: 413-26.
- INSURANCE RATES AND SCHEDULE RATING, FIRE, **26**: 391-421.
- INSURANCE, HISTORICAL STUDY OF FIRE, IN THE UNITED STATES, **26**: 335-58.
- INSURANCE, FRATERNAL, IN THE UNITED STATES, **17**: 260-86.
- INSURANCE, INDUSTRIAL, **26**: 283-99.
- INSURANCE, SOME FEATURES OF OBLIGATORY INDUSTRIAL, **38**: 23-30.
- INSURANCE INVESTMENTS, **24**: 431-45.
- INSURANCE, LIABILITY, **26**: 499-519.
- INSURANCE, ASSESSMENT LIFE, **26**: 300-7.
- INSURANCE BUSINESS, RECENT DEVELOPMENTS IN THE LIFE, **34**: 578-83.
- INSURANCE, ECONOMIC PLACE OF LIFE, AND ITS RELATION TO SOCIETY, **26**: 181-91.
- INSURANCE ADMINISTRATION, THE ESSENTIALS OF LIFE, **26**: 192-208.
- INSURANCE, FRATERNAL LIFE, **26**: 308-16.
- INSURANCE BY FRATERNAL ORDERS, LIFE, **24**: 475-88.
- INSURANCE INVESTMENTS, LIFE, **26**: 256-68.
- INSURANCE METHODS, AMERICAN LIFE, **4**: 753-63.
- INSURANCE, POLICY CONTRACTS IN LIFE, **26**: 209-28.
- INSURANCE PROFESSION, THE LIFE, **28**: 70-81.
- INSURANCE, THE DISTRIBUTION OF SURPLUS IN LIFE: A PROBLEM IN SUPERVISION, **26**: 708-20.
- INSURANCE. THE TOTAL DISABILITY PROVISION IN AMERICAN LIFE INSURANCE CONTRACTS, **59**: Sup. M., '15.
- INSURANCE, THE DEVELOPMENT AND PRESENT STATUS OF MARINE, IN THE UNITED STATES, **26**: 422-52.
- INSURANCE, POLICY CONTRACTS IN MARINE, **26**: 453-82.
- INSURANCE, THE LOGIC OF SOCIAL, **33**: 265-77.
- INSURANCE, NECESSITY FOR SOCIAL, **38**: 86-9.
- INSURANCE, COMPULSORY STATE, OF WORKINGMEN, **24**: 331-42.
- INSURANCE, STATE REGULATION OF, **24**: 67-83.
- INSURANCE, AMERICAN UNIVERSITIES, THE STUDY OF, IN, **28**: 82-100.
- INSURANCE, RESULTS OF VOLUNTARY RELIEF PLAN OF UNITED STATES STEEL CORPORATION, **38**: 35-44.
- Intemperance, **16**: 494. See Temperance, Liquor, Alcohol.
- INTEMPERANCE. DRUNKENNESS AND THE WEATHER, **16**: 421-34.
- Interest, **2**: 629-52; **18**: 428; **41**: Sup. M., '12, 7, 59-60; **44**: Sup. N., '12, 16, 38, 68, 72; **60**: 127. See Banks, Capital, Commerce, Finance, Investments, Money.
- INTEREST, THE BASIS OF, **2**: 629-52.
- INTEREST, THE BASIS OF, **3**: 65-72.
- INTEREST AND PROFITS, **4**: 337-47.
- INTEREST, LAW OF WAGES AND, **1**: 43-65.
- Interlocking directorates, **57**: 46-9, 172. See Holding companies.
- INTERLOCKING DIRECTORATES, **57**: 45-9.
- Internal revenue, see Revenue.
- International agreements, see Agreements.
- arbitration, see Arbitration.
- Association for Advancement of Science, Art and Education, **16**: 170.
- Association of Machinists, **44**: 74.
- INTERNATIONAL COMMERCIAL CONGRESS, THE, **15**: 69-87.
- International commission, establishment of a permanent, **61**: 221-2.
- competition, see Competition.
- conference, **61**: 276.
- INTERNATIONAL CONFERENCE, THE FOURTH, OF THE AMERICAN STATES, **37**: 585-93.
- International congresses, **4**: Sup. S., '93, 38, 72, 99-100; **14**: 392; **15**: 133.
- INTERNATIONAL CONGRESS OF HYGIENE AND DEMOGRAPHY, **5**: 452-5.
- International control, **61**: 225.
- Council, **61**: 244.
- INTERNATIONAL COURT, AN INTERNATIONAL SHERIFF AND WORLD PEACE, AN, **61**: 274-5.
- INTERNATIONAL CRIMINAL LAW ASSOCIATION, **1**: 159-64.

- INTERNATIONAL DEEP WATERWAYS CONVENTION, **6**: 540-4.
- International exchanges, *see* Exchanges.
- Harvester Company, **48**: 169.
- INTERNATIONAL HARVESTER COMPANY, EMPLOYEES' BENEFIT ASSOCIATION OF THE, **33**: 246-57.
- International Institute of Agriculture, **48**: 137, 201.
- — — — — Sociology, **15**: 491; **17**: 151.
- INTERNATIONAL INSTITUTE OF SOCIOLOGY, THIRD CONGRESS OF, **11**: 109-12.
- International law: **2**: 69-84; **54**: 201, 219; **60**: 168-82, 213-14; **61**: 232, 277; belligerents, **60**: 173; contraband, 1909, **56**: 161; Cuba, **11**: 353-80; defined, **4**: 747; "most favored nation" clause, **32**: 383; necessity, **60**: 140. *See* Aliens, Ambassadors, Arbitration, Citizenship, Maritime law, Monroe Doctrine, Naturalization, Neutrality, Peace, Treaties.
- INTERNATIONAL LAW. RECOGNITION OF CUBAN BELLIGERENCY, **7**: 450-61.
- INTERNATIONAL LAW, PRIVATE AND, IN THE ENFORCEMENT OF CLAIMS, **22**: 85-96.
- INTERNATIONAL LAW, THE DOCTRINE AND PRACTICE OF INTERVENTION IN EUROPE, **16**: 1-32.
- INTERNATIONAL LEADERSHIP, RESPONSIBILITIES OF, **26**: 27-31.
- INTERNATIONAL LIABILITY FOR MOB INJURIES, **2**: 69-84.
- International Mercantile Marine Co., **55**: 51.
- Navigation Co. of New Jersey, **55**: 51.
- Police Association, **36**: 19.
- Prison Congress, **46**: 9, 148.
- relationship, **36**: Sup. S., '10, 43-4; **38**: Sup. S., '11, 39-42; **60**: 234.
- INTERNATIONAL RELATIONS, BRITISH COLUMBIA AND BRITISH, **45**: 1-19.
- INTERNATIONAL RELATIONS OF THE UNITED STATES, Vol. **54**.
- International Statistical Congress, **1**: Sup. Mch., '91, 78-81.
- INTERNATIONAL STATISTICAL INSTITUTE, **4**: 443-7; **6**: 534-6.
- International trade: **3**: 711-13; **60**: 1, 7; **61**: 60-5; **63**: 138; European war, **60**: 15; woollens, **34**: 481. *See* Trade.
- INTERNATIONAL TRADE, AMERICA'S, AS AFFECTED BY THE EUROPEAN WAR, **60**: 1-16.
- INTERNATIONAL TRADE, COMMERCIAL ISOLATION VERSUS, **61**: 60-5.
- INTERNATIONAL TRADE, PRESENT CONDITION OF, **34**: 445-56.
- INTERNATIONAL TRADE. GOVERNMENT ASSISTANCE TO EXPORT TRADE, **34**: 555-62.
- Internationalism, *see* International law.
- INTERNATIONALISM, THE BASIS OF CONSTRUCTIVE, **61**: 217-29.
- Interstate commerce, **4**: Sup. S., '93, 11, 22, 48, 53, 57-61; **42**: 317; **58**: 133; **63**: 194.
- INTERSTATE COMMERCE, BILL TO REGULATE CARRIERS BY WATER ENGAGED IN THE FOREIGN AND, OF THE UNITED STATES, **55**: 263-74.
- INTERSTATE COMMERCE, CONTROL OF CORPORATIONS, PERSONS AND FIRMS ENGAGED IN, **42**: 310-30.
- INTERSTATE COMMERCE, FEDERAL CONTROL OF, **26**: 642-55.
- Interstate Commerce Act, **29**: 292-339; **42**: 156, 170; **55**: 17, 24-6, 33; **63**: 191.
- INTERSTATE COMMERCE ACT, RATE CONTROL UNDER THE AMENDED, **29**: 292-309.
- Interstate Commerce Commission: **4**: Sup. S., '93, 53-4; **5**: 913; **8**: 144; **32**: 124, 157; **33**: 133; **42**: 70-1, 83, 106, 144, 170-1, 267, 284, 294, 304, 307, 312; **44**: Sup. N., '12, 49; **55**: 10, 15, 27-31; **63**: 159, 161-6, 169-70, 207-8, 231; accounting, **53**: 124; **63**: 215, 223-5; accounts, **55**: 26-7; **63**: 227, 229-30; depreciation, **63**: 229-30; duties, **63**: 175-6; ferries, **55**: 33; foreign commerce, **32**: 157; **55**: 34-6; freight rates, **63**: 169; interstate commerce, **63**: 194; investigation, **63**: 199-213; New York, New Haven and Hartford Railway Company, **63**: 199-205; powers, **10**: 248; **63**: 199; railroads, **63**: 213; railways, **63**: 163-4; rates, **9**: 107; **10**: 248; **55**: 27-30, **63**: 161-2, 169-70; regulation, **63**: 213; steamship companies, **55**: 192-3; street railways, **37**: 191; valuation, **57**: 107; **58**: 61; **63**: 179-80; 189; water carriers, **55**: 34; water terminals, **55**: 32.
- INTERSTATE COMMERCE COMMISSION, THE ACCOUNTING SYSTEM PRESCRIBED FOR RAILROADS BY THE, **63**: 222-31.
- INTERSTATE COMMERCE COMMISSION, RECENT FINANCIAL INVESTIGATIONS BY THE, **63**: 199-213.
- INTERSTATE COMMERCE COMMISSION, REGULATION OF FOREIGN COMMERCE BY THE, **32**: 157-81.
- INTERSTATE COMMERCE COMMISSION, THE, AND THE RAILROADS, **63**: 155-72.
- INTERSTATE CORPORATIONS, FEDERAL INCORPORATION OF, **42**: 303-9.
- Interstate railroads, *see* Railroads.
- INTERSTATE RAILROAD, THE PLACE OF THE, IN REDUCING FOOD DISTRIBUTION COSTS, **50**: 10-19.
- INTERSTATE RATES, HOW THE STATES MAKE, **32**: 102-19.
- Interstate Trade Commission, **42**: 71, 83, 131, 170, 171, 293, 295; **55**: 3; **63**: 2.
- Interurban lines, *see* Street railways, Electric railways.
- INTERURBAN LINES, EXPRESS BUSINESS ON, **37**: 78-81.
- INTERURBAN LINES, POSSIBILITIES OF FREIGHT TRAFFIC ON, **37**: 68-77.
- INTERURBAN PROBLEMS, THE PRESENTATION OF, TO THE PUBLIC, **37**: 110-15.
- Intervention: **16**: 1-32; **54**: 147, 163, 216, 233-4; Argentina, **54**: 293; Brazil, **54**: 293; Chili, **54**: 293; Cuba, **11**: 353-80; Europe, **16**: 1; Great Britain, **15**: 33; Mexico, **54**: 182; Monroe Doctrine, **54**: 132.
- INTERVENTION AND THE RECOGNITION OF CUBAN INDEPENDENCE, **11**: 353-80.
- INTERVENTION IN EUROPE, THE DOCTRINE AND PRACTICE OF, **16**: 1-32.
- Invalidity, **21**: 376; **59**: Sup. M., '15, 15-18, 22-3.
- Inventories, **41**: 61, 64, 67, 81, 227, 252; **41**: Sup. M., '12, 55, 63; **63**: 186.
- Inverness Railway and Coal Company, **44**: 5.
- Investigation, **42**: 142-3, 145, 149, 154-5, 178, 188, 194, 196, 198, 202, 293, 295.
- INVESTIGATION AS A MEANS OF SECURING ADMINISTRATIVE EFFICIENCY, **41**: 281-303.



- INVESTIGATION ACT, THE CANADIAN COMBINES, **42**: 149-55.
- INVESTIGATION ACT, THE CANADIAN INDUSTRIAL DISPUTES, **36**: 419-37.
- INVESTMENTS: **20**: 559-70; **25**: 101-16; **35**: 545-53; **41**: Sup. M., '12, 2, 9, 23, 45, 70, 73; **53**: 178, 257; **60**: 67; American, **60**: 62; bonds, **30**: 374-83; European, **60**: 61; foreign, **60**: 66; **61**: 61; gas, **31**: 593; Latin American, **60**: 66-9; public service corporations, **25**: 101-16; railroad stocks, **35**: 646-56; real estate, **30**: 350-73. *See* Banks, Bonds, Building and loan associations, Insurance, Interest, Loans, Mortgages, Speculation, Stocks.
- INVESTMENT SECURITIES, BONDS AS, **30**: S., '07.
- INVESTMENT OF AMERICAN CAPITAL IN LATIN-AMERICAN COUNTRIES, **37**: 638-47.
- INVESTMENTS, INDUSTRIAL STOCKS AS, **35**: 674-8.
- INVESTMENTS, INSURANCE, **24**: 431-45.
- INVESTMENTS, LIFE INSURANCE, **26**: 256-68.
- INVESTMENTS, THE WRONGS AND OPPORTUNITIES IN MINING, **35**: 689-98.
- INVESTMENTS, PREFERRED STOCKS AS, **35**: 545-78.
- INVESTMENTS, SECURITIES OF PUBLIC SERVICE CORPORATIONS AS, **25**: 101-16.
- INVESTMENTS, RAILROAD STOCKS AS, **35**: 646-56.
- INVESTMENTS. TIMBER BONDS AS INVESTMENT SECURITIES, **41**: Sup. M., '12.
- INVESTORS, **48**: 189.
- INVESTORS, THE BOSTON CONSOLIDATED GAS COMPANY: ITS RELATION TO THE PUBLIC, ITS EMPLOYEES AND, **31**: 593-9.
- IOWA: **9**: 473; **13**: 216, 270; **15**: 405-25; **16**: 321; **20**: 653; **23**: 389-92; **29**: Sup. Mch., '07, 2, 4, 72; **46**: 124-5; Agricultural College, **46**: 125; charities, **13**: 229; child labor, **29**: 159-60; convict labor, **46**: 123; cooperative elevator companies, **50**: 206; county officers, **47**: 22; grain, **50**: 206; grain rates, **15**: 41; insurance, **24**: 432; league of municipalities, **13**: 270; Municipal Code Commission, **14**: 493-4; **17**: 148-9; municipal legislation, **9**: 473; valuations, **58**: 115; women, **56**: 81.
- IOWA, COMMISSION GOVERNMENT IN: THE DES MOINES PLAN, **38**: 698-718.
- Ireland, **2**: 319; **46**: 173, 235.
- IRELAND, W. ALLEYNE. The Government of Tropical Colonies, **13**: Sup. M., '99, 60-4; Is Tropical Colonization Justifiable? **19**: 331-9.
- IRISH, JOHN P. Reasons for Encouraging Japanese Immigration, **34**: 294-9.
- IRON, **4**: Sup. S., '93, 149-50; **15**: Sup. M., '00, 156; **16**: 339; **32**: 284-9; **34**: 496-506; **39**: 149; **59**: 20-2.
- and Steel Manufacturing Co., **32**: 284.
- IRON AND STEEL MANUFACTURES, WHAT OUGHT THE TARIFF RATES TO BE ON, **32**: 284-9.
- IRON TRADE OF 1909, THE AMERICAN, AND THE OUTLOOK, **34**: 496-506.
- IRRIGATION, **12**: 204; **22**: 137; **31**: 6; **33**: 658, 664-76.
- IRRIGATION. FORESTS, RELATION OF, TO STREAM CONTROL, **31**: 219-27.
- IRRIGATION. RECLAMATION OF ARID WEST BY FEDERAL GOVERNMENT, **31**: 203-18.
- IRRIGATION, THE LEGAL PROBLEMS OF RECLAMATION OF LANDS BY MEANS OF, **33**: 664-76.
- Isolirte Staat, **4**: Sup. Mch., '94, 54-5.
- ISRAEL, HENRY. Rural Work of the Young Men's Christian Association, **40**: 140-8.
- Isthmian Canal, **17**: 397-408; **18**: 446-68; **19**: 24.
- ISTHMIAN CANAL IN ITS ECONOMIC ASPECTS, THE, **19**: 1-23.
- ISTHMIAN CANAL, AN, FROM A MILITARY POINT OF VIEW, **17**: 397-408.
- ISTHMIAN CANAL QUESTION AS AFFECTED BY TREATIES AND CONCESSIONS, **19**: 24-45.
- ISTHMIAN SHIP CANAL, THE COST OF THE, **42**: 331-3.
- Italy: **1**: 635-61; **1**: Sup. Mch., '91, 45, 68; **2**: 217; **6**: 251; **7**: 171; **28**: 11; **43**: 71; **61**: 30; banks, **7**: 171; **8**: 484; Catholic system, **6**: 236; charities, **28**: 311-16; constitution, **5**: Sup. N., '94, 8-22; **6**: 227; constitutional law, **6**: 227-53; cooperation, **3**: 389; **46**: 173; economics, **2**: 203-24; immigration, **24**: 189-93; **61**: 30; ministers, **6**: 251; political economy, **4**: Sup. Mch., '94, 16-17, 132-3; religion, **6**: 237; socialism, **2**: 203; waterways, **4**: Sup. S., '93, 103.
- ITALIAN, THE, AS AN AGRICULTURAL LABORER, **33**: 380-90. *See* Farming.
- ITALY, POPULAR BANKS IN, **7**: 171.
- ITALIAN CONSTITUTION, AMENDMENTS TO THE, **6**: 227-53.
- ITALY, CONSTITUTION OF THE KINGDOM OF, **5**: Sup. N., '94.
- ITALY, ECONOMICS IN, **2**: 203-24.
- ITALY, INSTRUCTION IN ECONOMICS IN, **1**: 635-61.
- ITALY, THE RELIEF OF THE POOR IN, **28**: 311-16.
- Ivins Commission, **41**: 11.
- IYENAGA, T. The Relations of the United States with China and Japan, **54**: 254-9.
- JACKSON, J. C. Work of the Anti-Saloon League, **32**: 482-96.
- JACKSON, JOHN PRICE. Some Industrial Lessons of the European War, **61**: 45-50.
- JACKSON, WILLIAM B. The Depreciation Problem, **37**: 31-42.
- Jacob, J., **1**: Sup. Mch., '91, 50.
- JACOBS, LAURENCE MERTON. English Methods of Lending as Contrasted with American, **36**: 511-22.
- Jahrbuch für Gesetzgebung, Verwaltung und Rechtspflege*, **4**: Sup. Mch., '94, 117.
- Jahrbücher für Nationalökonomie und Statistik*, **4**: Sup. Mch., '94, 85, 116-17.
- Jails, *see* Prisons.
- JAILS, ILLINOIS, AND THE KANGAROO COURT, **46**: 109.
- JAMES, A. E. Taxation of Intangible Property, **58**: 95-104.
- JAMES, EDMUND J. Bryce's American Commonwealth, **7**: 377-410. The Growth of Great Cities in Area and Population, **13**: 1-30; The First Apportionment of Federal Representatives in the United States, **9**: 1-41; The Place of the Political and Social Sciences in Modern Education, **10**: 359-88;



- An Early Essay on Proportional Representation, **7**: 233-52; The Government of a Typical Prussian City—Halle a. S., **15**: 313-54; Street Railway Policy in Berlin, **15**: 437-40.
- JAMES, EDMUND J., and HEWINS, W. A. S. The London School of Economics and Political Science, **6**: 283-8.
- JAMES, HERMAN G. A Proposal for a School of Municipal Administration at the University of Texas.<sup>1</sup>
- James, William, **44**: Sup. N., '12, 4.
- Jameson, John Alexander, **27**: Sup. Mch., '07, 6, 11.
- JANES, HENRY L. Commercial Relations of Chile, **37**: 731-7.
- Japan: **3**: 82-8; **13**: Sup. M., '99, 136; **36**: Sup. Jy., '10, 7, 19-24; **37**: 301; **39**: 19, 41-2, 46, 58-60, 160, 166; **54**: 251, 254-9, 265-8; Buddhism, **36**: Sup. Jy., '10, 11; China, **39**: 19; cities, **25**: 322-4; constitutional government, **21**: 209-20; coöperation, **46**: 173; cotton, **39**: 163; currency, **31**: 161; education, **36**: Sup. Jy., '10, 9-16; emigration, **34**: 377; immigration, **34**: 223, 294, 403; **39**: 165; **45**: 10, 13; penal codes, **18**: 565; railways, **19**: 85; schools, **36**: Sup. Jy., '10, 16; taxation, **3**: 82-8; trade, **36**: Sup. Jy., '10, 6-8, 24; **38**: Sup. Jy., '10, 38; **39**: 160.
- JAPAN, CITY GOVERNMENT IN, **25**: 322-3.
- JAPAN, COMMERCIAL RELATIONS BETWEEN THE UNITED STATES AND, **36**: Sup. Jy., '10.
- JAPAN, CONSTITUTIONAL GOVERNMENT IN, **21**: 209-20.
- JAPAN, EDUCATION IN, **36**: Sup. Jy., '10, 9-16.
- JAPAN'S POSITION IN THE FAR EAST, **26**: 77-82.
- JAPAN'S NATIONAL IDEAL, **36**: Sup. Jy., '10, 21-4.
- JAPAN, THE RELATIONS OF THE UNITED STATES WITH CHINA AND, **54**: 254-9.
- JAPAN, RELATIONS BETWEEN, AND THE UNITED STATES, **54**: 260-9.
- JAPAN, ORIGIN AND GROWTH OF TAXATION IN, **3**: 82-8.
- JAPANESE IN AMERICA, CHINESE AND, **34**: S., '09.
- JAPANESE, THE EFFECT OF AMERICAN RESIDENCE ON, **34**: 338-9.
- JAPANESE PROBLEM IN CALIFORNIA, THE, **34**: 262-8.
- JAPANESE COMMERCIAL COMMISSION, THE, **36**: Sup. Jy., '10, 6-8.
- JAPANESE EMIGRATION, SOURCES AND CAUSES OF, **34**: 377-87.
- JAPANESE IMMIGRANTS, CHINESE AND,—A COMPARISON, **34**: 223-30.
- JAPANESE IMMIGRATION INTO KOREA, **34**: 403-9.
- JAPANESE IMMIGRATION, REASONS FOR ENCOURAGING, **34**: 294-9.
- JAVA, **55**: 67, 81.
- Jeanes fund, **49**: 225.
- JEANES AND SLATER FUNDS, THE WORK OF THE, **49**: 173-6.
- Jeans, J. Stephen, **4**: Sup. S., '93, 36, 87, 93-4.
- JEFFERIES, J. H. Lapse and Reinstatement, **26**: 269-82.
- Jefferson, Thomas, **9**: 33; **29**: Sup. Mch., '07, 11; **60**: 169, 183-4.
- JENKS, JEREMIAH W. The Agricultural Bank for the Philippine Islands, **30**: 38-44; Land Transfer Reform, **2**: 48-58; The Social Basis of Proportional Representation, **6**: 381-96.
- JEROME, MRS. AMALIE HOFER. The Playground as a Social Center, **35**: 345-9.
- JERSEY CITY, **20**: 139-49; **21**: Sup. J., '03, 8-34, 44-5.
- JERSEY CITY, HOUSING CONDITIONS IN, **20**: 139-49.
- JERSEY CITY, HOUSING CONDITIONS IN, **21**: Sup. J., '03.
- Jevons, W. Stanley, **4**: Sup. Mch., '94, 128.
- Jews: **21**: 492; **24**: 421; agriculture, **21**: 490-4; **22**: 542; **23**: 556; **24**: 196-7; **46**: 174.
- JEWISH CHARITIES, **21**: 389-406.
- JEWISH IMMIGRANT AS AN INDUSTRIAL WORKER, THE, **33**: 399-406.
- Jobbers: **48**: 203; **50**: 25, 59, 61-2; 64, 68; cold storage, **50**: 65; commission merchants, **50**: 60; competition, **50**: 61-2; definition, **50**: 58; direct shipments, **50**: 68; elimination, **50**: 198; functions, **50**: 70-1; loans, **50**: 65; refrigeration, **50**: 64.
- JOBBER AND COMMISSION MEN, RELATION OF, TO THE HANDLING OF PRODUCE, **50**: 57-68.
- JOBING, PRESENT DAY, **22**: 451-8.
- JOERNS, W. G. Parks and Public Playgrounds, **26**: 773.
- John V., **1**: Sup. Mch., '91, 22, 30, 49.
- JOHNSON, ALBA B. America's Industries as Affected by the European War, **61**: 1-3; The Market for Locomotives, **34**: 547-51.
- JOHNSON, ALEXANDER. Race Improvement by Control of Defectives (Negative Eugenics), **34**: 22-9.
- JOHNSON, C. D. The Yellow Pine Situation, **34**: 532-8.
- JOHNSON, EMORY R. Commercial Relations of the United States with the Far East, **13**: Sup. M., '99, 158-60; Competition versus Coöperation in the Steamship Business: Proposed Legislation, **55**: 1-16; The Improvement of Country Roads in Massachusetts and New York, **5**: 269-71; Inland Water-ways, Their Relation to Transportation, **4**: Sup. S., '93; Responsibilities of International Leadership, **26**: 25-31; The Isthmian Canal in Its Economic Aspects, **19**: 1-23; Nicaragua Canal and the Economic Development of the United States, The, **7**: 38-48; Trend of Governmental Regulation of Railroads, **32**: 120-4; The Industrial Services of the Railways, **5**: 897-914; Railway Departments for the Relief and Insurance of Employees, **6**: 424-68; River and Harbor Bills, **2**: 782-812; Public Regulation of Street Railway Transportation, **29**: 275-91; The Relation of Taxation to Monopolies, **4**: 764-89; Current Transportation Topics, I, **9**: 107-16; Current Transportation Topics, II, **10**: 241-51.
- Johnson, Hiram W., **43**: 40.
- JOHNSON, JOSEPH FRENCH. The Canadian Banking System and Its Operation under Stress, **36**: 538-62; The Probable Condition of the American Money Market after the War is over, **60**: 130-7; Proposed Reforms of the Monetary System, **11**: 191-224.
- JOHNSON, W. L. A. Kansas Child Labor Committee, **38**: Sup. Jy., '11.

<sup>1</sup>See footnote, p. 27.

- JOHNSTON, FRANKLIN. American Export Policies, **61**: 51-9.
- JOINT BOARD OF SANITARY CONTROL, THE, IN THE CLOAK, SUIT AND SKIRT INDUSTRY OF NEW YORK CITY, **44**: 39-58.
- "JOINT COMMISSION," THE "MUTUAL GOVERNMENT" OR, OF PREVENTING INDUSTRIAL CONFLICTS, **27**: 531-42.
- Joint stock companies, *see* Corporations.
- JONES, ARTHUR F. The Accountant's Relation to Timber Bond Issues, **41**: Sup. M., '12, 51-8.
- JONES, CHESTER LLOYD. The American Interpretation of the "Most Favored Nation" Clause, **32**: 383-93; American Municipal Services from the Standpoint of the Entrepreneur, **28**: 371-84; The Anthracite-Tidewater Canals, **31**: 102-16; Republican Government in China, **39**: 26-38; The County in Politics, **47**: 85-100; The Legislative History of Exclusion Legislation, **34**: 351-9; Madrid: Its Government and Municipal Services, **27**: 120-31.
- JONES, EDWARD D. The Manufacturer and the Domestic Market, **25**: 1-20.
- JONES, MRS. GILBERT E. The Position of the Anti-Suffragists, **35**: Sup. M., '10, 16-22.
- JONES, LAWRENCE M. The Improvement of the Missouri River and Its Usefulness as a Traffic Route, **31**: 178-88.
- JONES, S. B. Fifty Years of Negro Public Health, **49**: 138-46.
- JONES, STILES P. State versus Local Regulation, **53**: 94-107; What Certain Cities Have Accomplished without State Regulation, **57**: 72-82.
- JONES, THOMAS JESSE. Negro Population in the United States, **49**: 1-9.
- JONES, WILLIAM CAREY. Berkeley, California, under Commission Form of Government, **38**: 935-43.
- Joplin, Missouri, **38**: 846.
- JORDAN, HARVIE. Cotton in Southern Agricultural Economy, **35**: 1-7.
- Journal des Economistes*, **4**: Sup. Mch., '94, 50, 119, 129.
- Journal of the Statistical Society, **4**: Sup. Mch., '94, 119.
- Journalism, **8**: 346; **16**: 56-92; **35**: Sup. J., '10, 8. *See* Newspapers.
- JOURNALISM, **28**: 38-57.
- JOURNALISM AT LILLE, COURSES IN POLITICS AND, **8**: 342-9.
- Judea, **1**: Sup. Mch., '91, 15.
- JUDGE, JOSEPH C. Maryland Child Labor Committee, **35**: Sup. Mch., '10, 169-70; Maryland Child Labor Committee, **38**: Sup. Jy., '11, 166-7.
- Judges: **43**: 29; **52**: 1-12, 194, 200-1, 214-15; appointment, **29**: Sup. Mch., '07, 5, 38, 86-7; **52**: 6, 10, 12; election, **29**: Sup. Mch., '07, 5, 38; **52**: 1, 3, 6; England, **52**: 200; primaries, **52**: 5; recall, **52**: 2, 3, 10, 11, 25, 77; salary, **52**: 200; tenure, **29**: Sup. Mch., '07, 4, 9, 38, 87. *See* Judicial recall, Recall.
- JUDGES, METHOD OF SELECTING AND RETIRING, IN A METROPOLITAN DISTRICT, **52**: 1-12.
- Judicial ballot, **52**: 3, 4.
- Judicial council, **52**: 12.
- JUDICIAL OFFICE IN GERMANY, THE, **25**: 328-34.
- Judicial recall, **43**: 13-14, 28, 36, 77, 129, 130, 217, 240, 243, 245, 255, 262, 266, 272, 275, 278, 279, 281, 282; **52**: 77. *See* Judges, Recall.
- JUDICIAL RECALL, THE—A FALLACY REPUGNANT TO CONSTITUTIONAL GOVERNMENT, **43**: 239-77.
- JUDICIAL REVIEW, METHODS OF, IN RELATION TO THE EFFECTIVENESS OF COMMISSION CONTROL, **53**: 54-65.
- Judiciary: **2**: 168; **3**: 806; **9**: 401; **43**: 257, 258, 261, 300, 304; **52**: 7, 8, 177, 206; Australia, **43**: 258; functions, **43**: 257; Italy, **6**: 250; powers, **7**: 385; Supreme Court, **2**: 168. *See* Courts.
- JUDICIARY, DANGERS THAT LURK IN THE RECALL OF THE, **43**: 278-85.
- JUDICIARY, THE POSITION OF THE, IN THE UNITED STATES, **43**: 286-310.
- JUDSON, EDWARD. The Church in Its Social Aspect, **30**: 429-40.
- JUDSON, FREDERICK N. The Extent and Evils of Double Taxation in the United States, **58**: 105-11.
- JUDSON, W. V. Strategic Value of Her West Indian Possessions to the United States, **19**: 383-91.
- Jurisprudence, **1**: 385-411; **10**: 165-86. *See* Courts, Law.
- JURISPRUDENCE IN AMERICAN UNIVERSITIES, **2**: 488-93.
- JURISPRUDENCE. NATURAL RIGHTS, **16**: 212-26.
- Jurors, **29**: Sup. Mch., '07, 63, 67; **52**: 37-8.
- Jury, **21**: 134; **29**: Sup. Mch., '07, 7, 22, 39; **47**: 256; **52**: 37, 197, 215-16. *See* Trials.
- JURY SYSTEM, THE, DEFECTS AND PROPOSED REMEDIES, **36**: 175-84.
- Justice, **4**: 697-737; **4**: Sup. Mch., '94, 79; **36**: 214; **52**: 6, 78, 177, 208; **56**: 93-8.
- JUSTICE, ADMINISTRATION OF, GENERAL PROBLEMS CONNECTED WITH THE, **36**: 3-8.
- JUSTICE TO THE CHILD, **35**: Sup. Mch., '10, 35-41.
- JUSTICE, A COMPENSATION LAW AND PRIVATE, **38**: 151-8.
- JUSTICE, GENERAL PROBLEMS CONNECTED WITH THE ADMINISTRATION OF, **36**: 3-8.
- JUSTICE FOR THE IMMIGRANT, **52**: 159-68.
- JUSTICE IN METROPOLITAN DISTRICTS, CAUSES FOR DISSATISFACTION WITH THE ADMINISTRATION OF, **52**: 208-24.
- JUSTICE, THE POLICE AND THE ADMINISTRATION OF, **52**: 56-60.
- JUSTICE, PRISON LABOR AND SOCIAL, **46**: 147-53.
- JUSTICE, REFORM IN ADMINISTRATION OF, Vol. **52**.
- JUSTICE IN THE UNITED STATES, THE ADMINISTRATION OF, **36**: Jy., '10.
- Justice of the peace, **52**: 160, 161, 163.
- Juvenile courts: **19**: 311-12; **20**: 255; **23**: 501; **27**: 447; **34**: 158; **52**: 142, 144, 147, 150, 157; Boston, **35**: Sup. Mch., '10, 142; Buffalo, **20**: 279-85; Chicago, **17**: 298; Denmark, **46**: 36; Denver, **46**: 36; functions, **52**: 147, 149; Illinois, **52**: 144; New Jersey, **52**: 151; Pennsylvania, **52**: 140, 141, 143; Philadelphia, **20**: 271-6; Rhode

- Island, **22**: 540; Salt Lake City, **52**: 151; St. Louis, **52**: 92, 151; women, **28**: 237; **52**: 188; **56**: 88, 89, 92. See Children, Delinquency, Probation.
- JUVENILE COURT, THE—ITS LEGAL ASPECT, **36**: 49-56.
- JUVENILE COURTS, **20**: 255-86.
- JUVENILE COURTS IN BUFFALO, **20**: 279-85.
- JUVENILE COURT OF CHICAGO AND ITS WORK, **17**: 298-304.
- JUVENILE COURT, CHILD LABOR AND THE, **33**: Sup. Mch., '09, 111-15.
- JUVENILE COURT, DISTINCTIVE FEATURES OF THE, **36**: 57-60.
- JUVENILE COURT, FUNCTIONS OF THE, **36**: 61-3.
- JUVENILE COURT MOVEMENT, FROM A LAWYER'S STANDPOINT, THE, **52**: 140-8.
- JUVENILE COURT IN PHILADELPHIA, THE, **20**: 271-6.
- JUVENILE COURTS—PRIVATE HEARINGS: THEIR ADVANTAGES AND DISADVANTAGES, **36**: 80-4.
- JUVENILE COURTS, PROBATION AND, **20**: 259-67.
- JUVENILE COURTS AND PROBATION IN PHILADELPHIA, **36**: 71-6.
- JUVENILE COURT, THE TREND OF THE, **52**: 149-58.
- JUVENILE COURT, WOMEN IN THE, **56**: 88-92. Juvenile Delinquents, see Delinquents.
- JUVENILE DELINQUENTS, EDUCATION OF, **23**: 483-92.
- KAHLER, HUGH MACNAIR. Current Misconceptions of Trade with Latin-America, **37**: 628-37.
- KALES, ALBERT M. Methods of Selecting and Retiring Judges in a Metropolitan District, **52**: 1-12.
- KAMP, CHARLES. Municipal Markets in Cleveland, **50**: 128-30.
- KANDA, NAIBU. Commercial Relations Between the United States and Japan, **36**: Sup. Jy., '10, 9-16.
- KANEKO, KENTARO. The Effect of American Residence on Japanese, **34**: 338-9; Japan's Position in the Far East, **26**: 75-82.
- Kangaroo courts, see Courts, Illinois.
- KANSAS: **15**: 405-25; **29**: Sup. Mch., '07, 66, 76; **50**: 67, 207; child labor, **35**: Sup. Mch., '10, 164; **38**: Sup. Jy., '11, 163; children, **18**: 278-9; commission government, **38**: 738; commissioners, **53**: 6, 20; employment, **59**: 169; penitentiary, **46**: 54; prisoners, **46**: 54, 56; tax commission, **58**: 121, 125; valuations, **58**: 115; women, **56**: 93.
- KANSAS, COMMISSION GOVERNMENT IN, **38**: 719-25.
- KANSAS, THE IDEAL FOR, **46**: 54-7.
- KANSAS, PROHIBITION IN, **32**: 567-75.
- KANSAS City, Kas., **38**: 917-21; **57**: 77-8.
- KANSAS CITY, KANSAS, RESULTS OF COMMISSION GOVERNMENT IN, **38**: 917-21.
- KANSAS City, Mo., **3**: 752; **13**: 276; **24**: 588; **25**: 182-3, 396-9; **27**: 411-12; **38**: 545-70, 839; **41**: 176; **51**: 138; **58**: 154.
- KANSAS CITY, MO., OMAHA, BUFFALO, PHILADELPHIA, MILWAUKEE AND TOLEDO, THE EXCHANGES OF MINNEAPOLIS, DULUTH, **38**: 545-70.
- Kapital, **4**: Sup. Mch., '94, 80, 90, 91, 95.
- Kapitalismus und Socialismus, **4**: Sup. Mch., '94, 88, 119.
- Kartell, **42**: 159, 162, 172, 176, 177, 178, 184.
- KASAI, JIUJI G. The Relations between Japan and the United States, **54**: 260-9.
- KATES, CLARENCE SEARS. Origin and Growth of Rural Conferences, **40**: 110-16.
- KEASBEY, LINDLEY M. The Terms and Tenor of the Clayton-Bulwer Treaty, **14**: 285-309; The Political Relations of the United States with the European Powers in the Far East, **13**: Sup. M., '99, 177-83; The Nicaragua Canal and the Monroe Doctrine, **7**: 1-31.
- KEIR, R. MALCOLM. The Resources of United States and Their Relation to Opportunity, **59**: 1-28; The Unappreciated Tin-Peddler: His Services to Early Manufacturers, **46**: 183-8.
- KELLER, ALBERT G. Notes on the Danish West Indies, **22**: 99-110.
- KELLEY, FLORENCE. An Effective Child-Labor Law: A Program for the Current Decade, **21**: 438-45; Obstacles to the Enforcement of Child Labor Legislation, **29**: 50-6; The Responsibility of the Consumer, **32**: Sup. Jy., '08, 108-12; The Invasion of Family Life by Industry, **34**: 90-6; The Federal Children's Bureau, **33**: Sup. Mch., '09, 41-4; The Federal Government and the Working Children, **27**: 289-92; Child Labor Legislation, **20**: 155-64; Child Labor Legislation and Enforcement in New England and the Middle States, **25**: 480-90; New England's Lost Leadership, **35**: Sup. Mch., '10, 150-1; Scholarships for Working Children, **33**: Sup. Mch., '09, 100-3; Our Lack of Statistics, **38**: 94-7; Street Trades, **38**: Sup. Jy., '11, 108-10; What Should We Sacrifice to Uniformity? **38**: Sup. Jy., '11, 24-30; Women and Social Legislation in the United States, **56**: 62-70.
- KELLOGG, PAUL U. Immigration and the Minimum Wage, **48**: 66-77.
- KELLOR, FRANCES A. Justice for the Immigrant, **52**: 159-68; Unemployment and Immigration, **61**: 40-4.
- KELSEY, CARL. The Importation of Dependent Children, **18**: 278-86; Influence of Heredity and Environment upon Race Improvement, **34**: 3-8; The Juvenile Court of Chicago and Its Work, **17**: 298-304; The Evolution of Negro Labor, **21**: 55-76.
- KELSEY, FREDERICK W. Park System of Essex County, New Jersey, **35**: 266-72.
- KEMMERER, EDWIN WALTER. The Philippine Postal Savings Bank, **30**: 45-51.
- KENDALL, EDITH. Report of the Committee of the National Consumers' League on Exhibits, **38**: Sup. S., '11, 50.
- KENNADY, PAUL. Settlement and Prevention of Industrial Disputes in New Zealand, **36**: 438-44.
- KENNAN, KOSSUTH KENT. The Wisconsin Income Tax, **58**: 65-76.
- KENNARD, BEULAH. The Playground for Children at Home, **35**: 374-81.
- KENNEDY, PHILIP B. The Seamen's Act, **63**: 232-43.
- KENNEY, JOHN A. Health Problems of the Negroes, **37**: 354-64.

- KENT, FREDERICK I. Financing Our Foreign Trade, **36**: 492-501.
- Kentucky: **4**: Sup. S., '93, 125-6; **7**: 63-9; **15**: 405-25; **29**: Sup. Meh., '07, 48, 57, 61; charter, **7**: 63-9; child labor, **32**: Sup. Jy., '08, 127-30; **33**: Sup. Meh., '09, 172-80; **35**: Sup. Meh., '10, 164-8; **38**: Sup. Jy., '11, 163-5; commission government, **38**: 692; consumers' league, **29**: 173; elections, **13**: 217; municipal government, **7**: 63-9; negroes, **49**: 6; prisoners, **46**: 150; women's clubs, **56**: 82.
- KENTUCKY, HISTORY OF THE MUNICIPAL CHARTER IN, **7**: 63-8.
- KERBY, WILLIAM J. Social Work of the Catholic Church in America, **30**: 473-82.
- KERR, J. W. Scientific Research by the Public Health Service, **37**: 270-85.
- KERR, ROBERT J. American Citizens in Foreign Countries, **54**: 236-42.
- KERR, WILLIAM DUNTON. Qualifications Needed for Public Utility Commissioners, **53**: 19-35.
- KIES, WILLIAM S. Branch Banks and Our Foreign Trade, **59**: 301-8; Coöperation in Export Trade, **60**: 39-51.
- KILBURN, FREDERICK D. Control and Supervision of Trust Companies, **24**: 27-42.
- KIMBALL, D. D. Ventilation and Public Health, **37**: 451-63.
- KIMBALL, ROSEMOND. Report of the Special Committee of the National Consumers' League, on Colleges and Graduates, **38**: Sup. S., '11, 53-4.
- KING, CLYDE LYNDON. Some Typical American Markets, **50**: 118; Can the Cost of Distributing Food Products be Reduced? **48**: 199-224; Municipal Markets, **50**: 102-17.
- KING, HOYT. The Reform Movement in Chicago, **25**: 235-47.
- KING, W. L. MACKENZIE, C.M.G., Ph.D. The Canadian Combines Investigation Act, **42**: 149-55. See also **44**: 6.
- KINGSBURY, SUSAN M. The Living Wage of Women Workers, **37**: Sup. M., '11, 6, 90.
- Kingley, Charles, **4**: Sup. Meh., '94, 47.
- KINLEY, D. The Influence on Business of the Independent Treasury, **3**: 180-210.
- KIRBY, J., JR. The Benefits of Industrial Combinations, **42**: 119-24.
- KIRCHWEY, GEORGE W. How America May Contribute to the Permanent Peace of the World, **61**: 230-4; Respect for Law in the United States, **36**: 212-17.
- KIRKBRIDE, FRANKLIN B. Banking Among the Poor: The Lighthouse Savings Fund Experiment, **18**: 286-9; Some Phases of the Dispensary Problem, **23**: 424-33.
- KIRKLAND, JAMES H. Ethical and Religious Aspects of Child Labor, **32**: Sup. Jy., '08, 92-6; The School as a Force Arrayed Against Child Labor, **25**: 558-62; The Teacher and the State, **22**: 249-56.
- KLECK, MARY VAN. Child Labor in Home Industries, **35**: Sup. Meh., '10, 145-9.
- KLEENE, G. A. Bernstein vs. "Old School" Marxism, **18**: 391-419; The Problem of Medical Charity, **23**: 409-23.
- KLEIN, OTTO H. Securing Efficiency Through a Standard Testing Laboratory, **41**: 93-102.
- KNAPP, MARTIN A. Government Ownership of Railroads, **19**: 61-73; The Public and the Railways, **32**: 97-101; National Regulation of Railroads, **26**: 613-28; Some Observations on Railroad Pooling, **8**: 127-47; Social Effects of Transportation, **20**: 1-15.
- Knies, Karl, **4**: Sup. Meh., '94, 23, 38, 110-12, 115.
- KNIGHT, GEORGE W. Political Science Association of the Central States, **5**: 796-7.
- KOBER, GEORGE M. The Physical and Physiological Effects of Child Labor, **27**: 285-8.
- KOHLER, MAX J. Un-American Character of Race Legislation, **34**: 275-93.
- KOINER, C. WELLINGTON. Pasaderia's Municipal Light and Power Plant, **57**: 209-27.
- Kolonier, Kolonialpolitik und Auswanderung, **4**: Sup. Meh., '94, 115.
- Korea, **39**: 114.
- KOREA, JAPANESE IMMIGRATION INTO, **34**: 403-9.
- KOREN, JOHN. Crime—from a Statistical Viewpoint, **52**: 83-8.
- KRAMER, ALBERT LUDLOW. Securities of Public Service Corporations as Investments, **25**: 101-16.
- KRAUS, C. J., **4**: Sup. Meh., '94, 52.
- KRAUS, HERBERT. What European countries Think of the Monroe Doctrine, **54**: 107-12.
- KRAUSKOPF, JOSEPH. Necessity of Industrial Arbitration, **36**: 311-20.
- Kritik der politischen Oekonomie, **4**: Sup. Meh., '94, 90.
- Krug, Leopold, **1**: Sup. Meh., '91, 46-8.
- KRUPP FOUNDARIES, SOCIAL WORK AT THE, **3**: 330-62. See also **3**: 78.
- KUHL, MARY E. Organization and Accomplishments of the W. C. T. U. in Illinois, **32**: 513-30.
- Labor: **1**: 518; **3**: 766, 780; **4**: Sup. Meh., '94, 40, 80-1, 128, 130; **5**: 209-41; **6**: 82, 165, 187, 345, 346, 569-71; **7**: 169; **8**: 587, 594, 596; **9**: 190; **10**: 288; **12**: 99; **13**: 43; **14**: 101, 104; **15**: Sup. M., '00, 137, 146; **16**: 331, 339; **17**: 548-50; **18**: 374-5; **20**: 455, 470-1, 648-52; **21**: 1, 248-9; **25**: 579-84; **27**: 337-41, 521-30; **29**: Sup. Meh., '07, 59-60; **30**: 456-60; **31**: 361-6; **32**: 75, 315; **35**: 143; **36**: Sup. S., '10, 32-42; **38**: Sup. S., '11, 26-9; **40**: 40, 44; **41**: 103, 111, 120, 289, 294; **42**: 5, 7, 20, 25, 30, 57, 74, 78, 91, 108, 119-21, 126, 141, 143, 149, 210, 226; **43**: 23, 24, 69, 122, 214; **44**: 2, 5, 15, 28, 30, 33, 60, 86, 88, 104; **44**: Sup. N., '12, 17, 73; **46**: 35-9, 132-7; **48**: 249; **49**: 19, 38; **50**: 183; **51**: 28-31, 132, 135; **59**: 149, 153, 163, 209, 298; **60**: 139; **61**: 7, 9-10, 22, 41, 96, 97, 117-18, 122-23, 128-29, 131-7, 139-40, 145, 150; **63**: 263-71, 273-4, 276-77, 279; accidents, **15**: 487; Australia, **33**: 440; Boston, **14**: 140; Bureau of Statistics, work of, **63**: 263, 265-71; Chicago, **17**: 567-9; Chinese, **34**: 247, 340-5; **46**: 178; citizenship, **17**: Sup. J., '01, 76; competition, **59**: 150; convict, see Convict labor; cotton, **33**: 278; Department of, **5**: 650; disputes, **36**: 373; England,



- 6: 346; factory, **33**: Sup. Meh., '09, 104-10; Federal Bureau, **63**: 263-71; France, **33**: 407-19; health, **17**: Sup. J., '01, 70; hours, **17**: Sup. J., '01, 12; **28**: 267; **29**: Sup. J., '07, 8; **31**: Sup. M., '08, 10-15; **42**: 7, 9, 25, 32, 44-5, 56-7, 141; laws, **48**: 10; Massachusetts, **5**: 644; **17**: Sup. J., '01, 9, 17, 83, 107, 158; **33**: 287, 300; **35**: Sup. Meh., '10, 134-6; negroes, **61**: 193-4; New York, **15**: 492; **18**: 564; New Zealand, **33**: 440; organizations, **2**: 442; **16**: 339; **24**: 291; **44**: 24-5, 53, 107; **46**: 8; **59**: 211; **61**: 7-8; Paris, **16**: 168; Pennsylvania, **10**: 307, 309; prisons, **9**: 245; **46**: 17, 21, 45-53, 58, 92-6, 115-21, 154-60; South Africa, **34**: 395-402; steel, **33**: 307; Sweden, **15**: 141; trade unions, **18**: 388-90; trusts, **16**: 362; wages, **17**: Sup. J., '01, 57; Washington, **14**: 140; women, **56**: 60, 106-7. See Arbitration, Boycotts, Child labor, Cooperation, Employment, Factories, Labor unions, Lock-outs, Strikes, Trade unions, Unemployment, Wages, Women.
- LABOR. THE INVESTOR'S INTEREST IN THE DEMANDS OF THE ANTHRACITE MINERS, **21**: 36-45.
- LABOR, BIG BUSINESS AND, **42**: 25-37.
- LABOR. CANADIAN INDUSTRIAL DISPUTES ACT, **44**: 1-7.
- LABOR AND CAPITAL, COÖPERATION OF, **20**: 45-58.
- LABOR'S ATTITUDE TOWARD CHILD LABOR, ORGANIZED, **27**: 337-60.
- LABOR. DEVELOPMENTS IN CHINESE LABOR SITUATION, **46**: 178-82.
- LABOR CLASSES, CONFERENCE OF THE CENTRAL BUREAU FOR THE PROMOTION OF THE WELFARE OF THE, **3**: 73-81.
- LABOR. THE FALLACY OF THE "CLOSED SHOP," **27**: 517-20.
- LABOR COMPETITION ON THE PACIFIC COAST, CHINESE, **34**: 340-50.
- LABOR, CONDITION OF, IN SOUTHERN COTTON MILLS, **33**: 278-86.
- LABOR. THE LAW OF THE DANBURY HAT-TERS' CASE, **36**: 265-76.
- LABOR DISPUTES, THE WORK OF EMPLOYERS' ASSOCIATION IN THE SETTLEMENT OF, **36**: 373-80.
- LABOR DISPUTES, PROPER BOUNDS OF THE USE OF THE INJUNCTION IN, **36**: 288-301.
- LABOR DISPUTES, THE SETTLEMENT OF, AMONG THE MINE WORKERS, **36**: 333-9.
- LABOR DISPUTES, STATE AGENCIES FOR DEALING WITH, THE EXPERIENCE OF NEW YORK, **36**: 397-406.
- LABOR DISPUTES, SETTLEMENT OF, **36**: S., '10.
- LABOR DISPUTES, WELFARE WORK AS A WAY TO PREVENT, **36**: 381-90.
- LABOR. SOME GUIDING PRINCIPLES IN THE ADJUSTMENT OF THE RELATIONS BETWEEN EMPLOYER AND EMPLOYEE, **27**: 507-9.
- LABOR, EUROPEAN WAR INFLUENCES UPON AMERICAN INDUSTRY AND, **61**: 4-10.
- LABOR EXCHANGES, A NATIONAL SYSTEM OF, IN ITS RELATION TO INDUSTRIAL EFFICIENCY, **61**: 138-45.
- LABOR CONDITIONS IN FRANCE, **12**: 250-8.
- LABOR AND WAGES IN FRANCE, **33**: 407-19.
- LABOR, FUTURE OF, **33**: 239-45.
- LABOR, SURPLUS GAINS OF, **3**: 607-17.
- LABOR. EMPLOYMENT OF GIRLS IN TEXTILE INDUSTRIES OF PENNSYLVANIA, **23**: 433-44.
- LABOR. LENGTH OF THE TRADE LIFE IN THE GLASS BOTTLE INDUSTRY, **27**: 496-9.
- LABOR, ATTITUDE OF, TOWARDS GOVERNMENT REGULATION OF INDUSTRY, **32**: 75-81.
- LABORING CLASSES, IMMIGRATION AND THE AMERICAN, **34**: 125-9.
- LABOR CONDITIONS, BENEFICIAL EFFECTS OF INDUSTRIAL COMBINATIONS IN, **42**: 20-4.
- LABOR CONDITIONS, HARMFUL EFFECTS OF INDUSTRIAL COMBINATIONS ON, **42**: 3-9.
- LABOR. THE MANHOOD TRIBUTE TO THE MODERN MACHINE: INFLUENCES DETERMINING THE LENGTH OF THE TRADE LIFE AMONG MACHINISTS, **27**: 491-5.
- LABOR, MACHINERY AND, **20**: 223-31.
- LABOR LEGISLATION, PRESENT STATE OF, IN AUSTRALIA AND NEW ZEALAND, **33**: 440-7.
- LABOR LEGISLATION, MASSACHUSETTS, **17**: Sup. J., '01.
- LABOR LEGISLATION, RECENT MASSACHUSETTS, **33**: 287-300.
- LABOR SITUATION IN MEXICO, THE, **21**: 77-93.
- LABOR CONDITIONS IN THE MINES OF THE PITTSBURGH DISTRICT, **33**: 316-25.
- LABOR. THE "MUTUAL GOVERNMENT" OR "JOINT COMMISSION" PLAN OF PREVENTING INDUSTRIAL CONFLICTS, **27**: 531-9.
- LABOR, THE EVOLUTION OF NEGRO, **21**: 55-76.
- LABOR, THE NEGRO IN UNSKILLED, **49**: 19-27.
- LABOR ORGANIZATION, RELATION OF, TO TRADE INSTRUCTION, **5**: 209-41.
- LABOR ORGANIZATIONS, WOMAN'S PLACE IN INDUSTRY AND, **24**: 343-53.
- LABOR'S, ORGANIZED, ATTITUDE TOWARD CHILD LABOR, **27**: 337-60.
- LABOR, ORGANIZING, AND CAPITAL BY MEANS OF INDUSTRIAL PARTNERSHIP, **20**: 61-77.
- LABOR, ORIENTAL VS. AMERICAN, **34**: 247-56.
- LABOR, PAY OF, IN NEW ENGLAND COTTON MILLS, **33**: 301-6.
- LABOR, PHYSICAL AND MEDICAL ASPECTS OF, AND INDUSTRY, **27**: 465-90.
- LABOR, THE PRESBYTERIAN DEPARTMENT OF CHURCH AND, **30**: 456-60.
- LABOR PROBLEMS, LABOR SUPPLY AND, **35**: 143-9.
- LABOR PROBLEMS, CURRENT, **21**: J., '03.
- LABOR QUESTION, **6**: 345-6; **7**: 162-3.
- LABOR, THE INTEREST OF, IN THE ECONOMIES OF RAILROAD CONSOLIDATION, **15**: Sup. M., '00, 137-49.
- LABOR, REFORM THROUGH, **46**: 35-9.
- LABOR, ATTITUDE OF, TOWARDS SCIENTIFIC MANAGEMENT, **44**: 59-73.
- LABOR IN SOUTH AFRICA, ORIENTAL, **34**: 395-402.
- LABOR STATISTICS, THE WORK OF THE FEDERAL BUREAU OF, IN ITS RELATION TO THE BUSINESS OF THE COUNTRY, **63**: 263-71.
- LABOR IN THE STEEL INDUSTRY—THE HUMAN SIDE OF LARGE OUTPUTS, **33**: 307-15.
- LABOR. A SUGGESTION FOR THE PREVENTION OF STRIKES, **26**: 740-5.



- LABOR SYSTEM OF THE JOHN B. STETSON CO., 22: 445-50.
- LABOR SYSTEM AND MANAGEMENT, SOME FEATURES OF THE, AT THE BALDWIN LOCOMOTIVE WORKS, 21: 1-9.
- LABOR, TARIFF REVISION AND PROTECTION FOR AMERICAN, 32: 315-20.
- LABOR SYSTEM OF TEXAS, THE CONVICT, 21: 426-37.
- LABOR. THE TRADE AGREEMENT IN THE BUILDING TRADES, 27: 510-16.
- LABOR. PLEA FOR INVESTIGATION OF CONDITIONS AFFECTING LENGTH OF TRADE LIFE, 27: 500-3.
- LABOR TURN-OVER, THE, AND THE HUMANIZING OF INDUSTRY, 61: 127-37.
- LABOR AND THE UNITED STATES STEEL CORPORATION, 42: 10-19.
- LABOR CONDITIONS, THE UNITED STATES STEEL CORPORATION AND, 42: 38-47.
- LABOR AND WAGES, 33: Mch., '09.
- LABOR. THE WAGE-EARNER AND THE PRISON WORKER, 46: 8-16.
- LABOR. WORKING CONDITIONS NECESSARY FOR MAXIMUM OUTPUT, 61: 174-82.
- LABOR. LEGISLATION FOR THE PROTECTION OF WORKING MEN, 14: 99-105.
- LABOR UNIONS, 17: 25; 21: 28, 32-3; 36: 333; 49: 36, 155. See Boycotts, Lockouts, Strikes, Trade unions, Unions.
- LABOR UNIONS AS THEY APPEAR TO AN EMPLOYER, 21: 46-54.
- LABOR UNIONS, THE POSITION OF, REGARDING INDUSTRIAL EDUCATION, 33: 185-7.
- LABOR UNIONS, SERVICE OF, IN THE SETTLEMENT OF INDUSTRIAL DISPUTES, 27: 521-30.
- LABORER, THE TRAINING OF THE NEGRO IN THE NORTH, 27: 579-89.
- LABORERS, AGRICULTURAL, IN THE UNITED STATES, 40: 40-4.
- LACEY, JAMES D., AND COMPANY. The Science of Timber Valuation, 41: Sup. M., '12, 9-22.
- Lafayette, 4: Sup. Mch., '94, 71.
- La Follette, R. M., 43: 41-2; 53: 71, 150-1; 63: 232-3.
- LAKEY, ALICE. Report of the Food Committee of the National Consumers' League, 34: Sup. Jy., '09, 53-60; Report of the Food Committee, 36: Sup. S., '10, 47-50; Report of the Food Committee of the National Consumers' League, 38: Sup. S., '11, 45-9.
- LAMONT, THOMAS W. The Effect of the War on America's Financial Position, 60: 106-12.
- Land: 2: 126, 309-23, 779; 4: Sup. Mch., '94, 98, 126; 9: 243; 11: 189; 18: 420; 26: 99-120; 29: Sup. Mch., '07, 35: 77-80; 51: 19, 25, 54, 217, 242-3, 244-5; 58: 198-9, 206, 209; 62: 127; 63: 178-9, 284; Australia, 2: 55; 12: 206; Buffalo, 58: 154; California, 58: 223; Canada, 58: 199; Dallas, 58: 154; Indian, 33: 620-30; Kansas City, Mo., 58: 154; Massachusetts, 13: 228; Milwaukee, 58: 154; Negroes, 49: 28, 58, 64, 153, 167; New York City, 58: 187; Oregon, 58: 223; Philippine Islands, 21: 145-7; Prussia, 2: 321; San Diego, 62: 127; San Francisco, 58: 154-5; 62: 127; taxation, 58: 185-6, 209, 214-21; 59: 148-56; 61: 253, 255-6; town planning, 51: 17-24; values, 41: Sup. M., '12, 53; 51: 18, 39; 57: 17; 58: 152-5; 62: 127-9; Virginia, 49: 29; Washington, D. C., 58: 154. See Agriculture, Parks, Rent, Taxation.
- LANDS, CLASSIFICATION OF THE PUBLIC, 33: 605-10.
- LAND CONFLICTS, THE IMPORTANT ELEMENTS IN MODERN, 26: 99-120.
- LANDS, FORESTRY ON PRIVATE, 33: 487-96.
- LANDS, INDIAN: THEIR ADMINISTRATION WITH REFERENCE TO PRESENT AND FUTURE USE, 33: 620-30.
- LAND LAWS, A SUMMARY OF OUR MOST IMPORTANT, 33: 611-19.
- LANDS, THE LEGAL PROBLEMS OF RECLAMATION OF, BY MEANS OF IRRIGATION, 33: 664-78.
- LAND, CAN IT BE OVERLOADED? 51: 54-8.
- LAND TAX, THE HEAVIER, 58: 198-201.
- LAND, TAXATION OF, AS A REMEDY FOR UNEMPLOYMENT, 59: 148-56.
- LAND TENURE, RECENT TENDENCIES IN THE REFORM OF, 2: 309-23.
- LAND TRANSFER REFORM, 2: 48-58.
- LAND VALUES, THE RECENT INCREASE IN, 58: 149-57.
- LAND VALUES, THE RELATION OF, AND TOWN PLANNING, 51: 17-24.
- LAND VALUES, MUNICIPAL TAXATION IN RELATION TO SPECULATIVE, 58: 214-21.
- Landau, G., 1: Sup. Mch., '91, 59.
- LANDIS, ABB. Life Insurance by Fraternal Orders, 24: 475-88.
- LANE, F. VAN Z. City Planning and Distribution Costs, 50: 240-6.
- LAPP, JOHN A. Actual State Legislation, 43: 49-64; Checks on County Government in Indiana, 47: 248-54.
- LAPSE AND REINSTATEMENT, 26: 269-82.
- LARRINAGA, TULIO. Conditions in Porto Rico, 26: 53-6.
- Lassalle, F., 4: Sup. Mch., '94, 85-6, 89-90, 96-7.
- LATANE, JOHN HOLLADAY. The Effects of the Panama Canal on Our Relations with Latin America, 54: 84-91; The Treaty Relations of the United States and Columbia, 22: 115-26.
- Latin America: 22: 47-55, 71-82, 111; 26: 37; 37: 618-27, 638; 49: 33; 54: 3, 6, 59, 80, 100, 114, 118, 120, 125, 128, 137, 241, 289; 60: 61, 63, 64, 65, 72-4, 89-97, 164-6; 61: 67-8, 71-80, 232-3; commerce, 22: 149; 37: 738-42; 54: 300; constitutional government, 54: 89; European war, 60: 63, 72, 74-89; Monroe Doctrine, 54: 66-83; reciprocity, 29: 457; trade, 54: 81-91; 61: 51, 81-2.
- LATIN AMERICA. FOURTH INTERNATIONAL CONFERENCE OF THE AMERICAN STATES, THE, 37: 585-93.
- LATIN AMERICA, COMMERCIAL RELATIONS OF THE UNITED STATES WITH, 22: 149-88.
- LATIN AMERICA, CLOSER COMMERCIAL RELATIONS WITH, 37: 738-42.
- LATIN AMERICA, EUROPE AND, 22: 67-110.
- LATIN AMERICA, SOME OF THE CAUSES OF THE CONFLICT BETWEEN EUROPE AND, 22: 71-82.
- LATIN AMERICA AND THE MEXICAN CONFERENCE. See Mexico, 22: 47-55.

- LATIN AMERICA, MONETARY REFORM IN, THE WAY TO ATTAIN AND MAINTAIN, **37**: 618-27.
- LATIN AMERICA, THE MONROE DOCTRINE AND, **54**: 66-83.
- LATIN AMERICAN VIEW OF THE MONROE DOCTRINE, **54**: 57-62.
- LATIN AMERICA, THE EFFECTS OF THE PANAMA CANAL ON OUR RELATIONS WITH, **54**: 84-91.
- LATIN AMERICA, FOURTH PAN-AMERICAN CONFERENCE, THE, **37**: 594-601.
- LATIN AMERICA, POLITICAL AND SOCIAL PROGRESS IN, **37**: M., '11.
- LATIN AMERICA, POLITICAL RELATIONS OF THE UNITED STATES WITH, **22**: 111-48.
- LATIN AMERICA, TRADE WITH, CURRENT MISCONCEPTIONS OF, **37**: 628-37.
- LATIN AMERICA, TRADE CONDITIONS IN, AS AFFECTED BY THE EUROPEAN WAR, **60**: 72-97.
- LATIN AMERICA. TRADE EXPANSION, INDIVIDUAL EFFORT IN, **37**: 579-84.
- LATIN AMERICAN TRADE, TRANSPORTATION FACILITIES NEEDED FOR, **61**: 81-5.
- LATIN AMERICA, THE UNITED STATES AND, **22**: Jy., '03.
- LATIN AMERICA, WHAT CAN THE UNITED STATES AND, DO FOR EACH OTHER? **61**: 71-80.
- LATIN AMERICAN COUNTRIES, INVESTMENT OF AMERICAN CAPITAL IN, **37**: 638-47.
- LATIN AMERICAN COUNTRIES, THE RELATION OF THE, WITH EACH OTHER, **22**: 21-66.
- Lattimore, Alida. Allegheny County (Pa.), Child Labor Association, **33**: Sup. Mch., '09, 192.
- LAUER, CONRAD N. The Importance of Cost-Keeping to the Manufacturer, **22**: 459-69.
- Laurentian Plateau, **45**: 136.
- Laurier, Wilfred, **45**: 18, 20, 26.
- de Laveleye, Emile, **4**: Sup. Mch., '94, 130-1.
- de Lavergne, Leonce, **4**: Sup. Mch., '94, 130.
- Law, **4**: 7, 593; **4**: Sup. Mch., '94, 13, 103; **22**: 85-96; **29**: Sup. Mch., '07, 1, 5, 11-13, 22, 42, 53, 55; **34**: 85, 89; **35**: Sup. Mch., '10, 144; **36**: 479-91; **43**: 5-7, 18, 52, 56, 63, 73; **52**: 103; **63**: 3. See Aliens, Constitutional law, Injunctions, International law, Judges, Jury, Legislation.
- LAW, CLASSIFICATION OF, **4**: 738-52.
- LAW, A COMPENSATION, AND PRIVATE JUSTICE, **38**: 151-8.
- LAW, LEGAL ASPECTS OF EMPLOYERS' LIABILITY, **38**: 144-50.
- LAW, CONDITIONS OF PROGRESS IN EMPLOYERS' LIABILITY LEGISLATION, **38**: 169-74.
- LAW, THE IMPORTANCE OF THE ENFORCEMENT OF, **34**: 85-9.
- LAW, THE FORMULATION OF NORMAL, **7**: 426-49.
- LAW-MAKING BY POPULAR VOTE, **2**: 324-44.
- LAW, RESPECT FOR, IN THE UNITED STATES, **36**: 193-8, 199-206, 207-11, 212-17.
- LAW AND SOCIAL PROGRESS, **38**: 117-18.
- LAW, QUESTIONS OF, ENCOUNTERED IN TIMBER BOND ISSUES, **41**: Sup. M., '12, 23-44.
- LAW, UNIFORM, STANDARDS PROPOSED BY UNITED STATES COMMISSION ON, **38**: Sup. Jy., '11, 17-23.
- LAWLER, THOMAS B. The Position and Work of the Roman Catholic Church in the Philippines, **30**: 83-9.
- Lawyers, **49**: 17; **52**: 6, 77, 79-81.
- LEACH, A. B. The Effect of the European War on American Business, **60**: 143-4.
- Lead, **14**: 331; **59**: 23-4.
- Leadership, **43**: 9, 36; **44**: 18, 125.
- LEADERSHIP, RESPONSIBILITIES OF INTERNATIONAL, **26**: 25-32.
- League of American Municipalities, see Municipalities.
- Wisconsin Municipalities, see Wisconsin.
- Lease system: Arkansas, **46**: 5, 26-8, 60, 78.
- Leather, **29**: 553-4; **32**: 295-9. See Boots and shoes.
- LEATHER, HIDES, BOOTS AND SHOES AND THE TARIFF, **32**: 295-9.
- LEATHER INDUSTRY, THE, AND THE TARIFF, **29**: 553-5.
- LEAVITT, JOHN BROOKS. To What Extent Should Insane Persons be Amenable to Criminal Law? **36**: 161-8.
- LEDERLE, ERNST J. New York City's Sanitary Problems, and Their Solution, **23**: 311-21.
- LEE, B. F., JR. Negro Organizations, **49**: 129-37.
- LEE, G. W. The Field and Forest Club of Boston, **35**: 409-19.
- LEE, IVY L. The Place of the Interstate Railroad in Reducing Food Distribution Costs, **50**: 10-19.
- Leeds, Eng., **35**: Sup. Mch., '10, 143; **62**: 208-9.
- Legacies, **4**: 83.
- Legal aid, **17**: 164-7; **41**: 187.
- LEGAL TENDER DECISIONS, SILVER FREE COINAGE AND THE, **9**: 198-211.
- Legislation: **6**: 385; **10**: 20; **13**: 221, 223-5; **15**: 128, 288-9, 471; **19**: 491; **25**: 241; **41**: 107; **42**: 28, 91, 128, 135, 138, 145, 151, 154, 161, 166, 183, 201, 205, 281, 282; **43**: 3, 5, 6, 8, 12, 52, 58, 81, 122, 142, 179, 196; **47**: 6, 12, 213; **51**: 2, 3, 73-5, 117; **52**: 69, 192; **55**: 1; **56**: 57; **59**: 210; **63**: 172; Cincinnati, **19**: 149-50; Cleveland, **62**: 265-6; labor, **44**: 28; Massachusetts labor, **17**: Sup. Jy., '01; Missouri, **43**: 102; Montana, **43**: 99; political, **20**: 370-85; recent Massachusetts labor, **33**: 287-300; Switzerland, **43**: 81, 82; uniform, **52**: 67-76; Utah, **43**: 90; women, **56**: 60, 108. See Anti-trust legislation, City planning, Franchises, Laws, Political Science, Child labor, Minimum wage, Forests, Trusts.
- LEGISLATION, COMMISSION REGULATION OF PUBLIC UTILITIES: A SURVEY OF, **53**: 1-18.
- LEGISLATION AND THE LEGAL DEFENSE OF LABOR LAWS. REPORT OF THE NATIONAL CONSUMERS' LEAGUE, **38**: Sup. S., '11, 26-9.
- LEGISLATION, POLITICAL AND MUNICIPAL, IN 1895, **7**: 411-25.
- LEGISLATION, POLITICAL AND MUNICIPAL, IN 1896, **9**: 231-45; in 1897, **11**: 174-90; in 1898, **13**: 212-29; in 1899, **15**: 160-70; in 1900, **17**: 244-59; in 1901, **20**: 370-85; in 1902, **21**: 261-79; in 1903, **23**: 322-39.
- LEGISLATION, CHARACTER OF RACE, **34**: 275-93.

- LEGISLATION, SOCIAL INVESTIGATION AND SOCIAL, **48**: 54-65.
- LEGISLATION IN THE UNITED STATES, UNIFORM, **52**: 67-76.
- LEGISLATION, UNIFORM STATE, **5**: 829-64.
- Legislative departments, **9**: 395; **29**: Sup. Mch., '07, 1, 2, 5, 7, 8, 13, 32, 34, 42-51, 55, 84-6.
- districts, **29**: Sup. Mch., '07, 6, 8, 16, 45.
- power, **4**: 420; **6**: 54.
- reference bureaus, **62**: 77-8, 80, 88. See Illinois.
- Legislators, **29**: Sup. Mch., '07, 1, 9, 13, 14, 42, 46, 53, 55, 85, **43**: 50, 52; **56**: 55.
- Legislatures: **2**: 158; **6**: 256; **7**: 417; **11**: 182; **16**: 93, 243; **43**: 49-51, 70, 73, 179, 180; **62**: 36, 43-4; budgets, **62**: 32-46; California, **10**: 478; China, **39**: 28; members, **43**: 50-1; New England, **6**: 254-67; Philadelphia, **10**: 122; power, **43**: 49; representation, **53**: 89; San Francisco, **10**: 125; Wisconsin, **15**: 161. See State legislatures.
- LEGISLATURE, THE BUDGET AND THE, **62**: 36-46.
- LEGISLATURES, FINANCIAL PROCEDURE IN STATE, **8**: 236-58.
- LEGISLATURES, REPRESENTATION IN NEW ENGLAND, **6**: 254-67.
- LEGISLATURES, REPRESENTATION IN THE, OF THE NORTH CENTRAL STATES, **15**: 405-25.
- LEGISLATURES, REPRESENTATION IN STATE, **15**: 204-35.
- LEGISLATURES, REPRESENTATION IN STATE—THE SOUTHERN STATES, **16**: 93-119.
- LEGISLATURES, REPRESENTATION IN STATE, IN THE WESTERN STATES, **16**: 243-72.
- Lehrbuch der Finanzwissenschaft*, **4**: Sup. Mch., '94, 113.
- *politischen Oekonomie*, **4**: Sup. Mch., '94, 52.
- Lehre von den Steuern*, **4**: Sup. Mch., '94, 56.
- *Gelde*, **4**: Sup. Mch., '94, 56.
- LEIGHTON, M. O. Water Power in the United States, **33**: 535-65.
- Leipzig, **13**: 16; **50**: 160.
- LEISERSON, WILLIAM M. Labor Conditions in the Mines of the Pittsburg District, **33**: 316-25.
- Lemieux act, **44**: 1.
- LENDING, ENGLISH METHODS OF, AS CONTRASTED WITH AMERICAN, **36**: 511-22.
- LEONHAUSER, U. L. A National Fund for Promoting Efficient Municipal Accounting and Reporting, **41**: 304-6.
- Leopoldo II, **1**: Sup. Mch., '91, 38.
- Le Play, F., **4**: Sup. Mch., '94, 130.
- Leprosy, **23**: 504; **37**: 278. See Disease.
- Leroux, P., **4**: Sup. Mch., '94, 67.
- Leroy-Beaulieu, Paul, **4**: Sup. Mch., '94, 130.
- Leslie, T. E. Cliffe, **4**: Sup. Mch., '94, 126-8.
- DE LESTRADE, COMBES. Present Condition of the Peasants in the Russian Empire, **2**: 225-35.
- LEUPP, FRANCIS E. Indian Lands: Their Administration with Reference to Present and Future Use, **33**: 620-30.
- LEVASSEUR, ÉMILE. The Concentration of Industry, and Machinery in the United States, **9**: 178-97; Labor and Wages in France, **33**: 407-19. See also **4**: Sup. Mch., '94, 130-1; **9**: 178.
- LEVIN, STADTRAT D. Wholesale Terminal Markets in Germany and Their Effect on Food Costs and Conservation, **50**: 153-65.
- LEVINE, LOUIS. The Standpoint of Syndicalism, **44**: 114-18.
- LEWIS, CHARLTON T. Principles of Reform in Penal Law, **21**: 419-25; The Scope and Limits of Congressional Legislation against the Trusts, **24**: 111-22.
- LEWIS, EDWIN O. Philadelphia's Relation to Rapid Transit Company, **31**: 600-11.
- Lewis Institute, **44**: 78.
- LEWIS, NELSON P. Financing a City Plan, **57**: 246-53.
- LEWIS, O. F. The Tramp Problem, **40**: 217-27.
- LEWIS, T. L. The Settlement of Disputes Among the Mine Workers, **36**: 333-9.
- LEWIS, WILLIAM DRAPER. The Adaption of Society to its Environment, **4**: 529-56; A New Method of Constitutional Amendment by Popular Vote, **43**: 311-25; Constitutional Problem of Workmen's Compensation, **38**: 119-27; The Political Organization of a Modern Municipality, **2**: 458-70; The Proposed Pennsylvania Minimum Wage Act, **48**: 37-40; Treaty Powers: Protection of Treaty Rights by Federal Government, **34**: 313-28.
- Liabilities, **38**: 257-61; **41**: 67, 226.
- Liability insurance, see Accidents, Employers' liability, Insurance.
- LIABILITY, AN ARGUMENT AGAINST EMPLOYERS', **38**: 159-65.
- LIABILITY LEGISLATION, CASUALTY INSURANCE COMPANIES AND EMPLOYERS', **38**: 15-22.
- LIABILITY LAWS, LEGAL ASPECTS OF EMPLOYERS', **38**: 144-50.
- LIABILITY, CONDITIONS OF PROGRESS IN EMPLOYERS', LEGISLATION, **38**: 169-74.
- LIABILITY LEGISLATION, PRINCIPLE OF SOUND EMPLOYERS', **38**: 202-4.
- LIABILITY ACT, NEW JERSEY EMPLOYERS', **38**: 225-9.
- LIABILITY, NEW JERSEY EMPLOYERS', AND WORKMEN'S COMPENSATION LAW, **38**: 218-24.
- LIABILITY AND COMPENSATION, ATTITUDE OF FOREIGN COUNTRIES TOWARD, **38**: 241-5.
- LIABILITY. ENTERPRISE LIABILITY FOR INDUSTRIAL INJURIES, **38**: 257-61.
- LIBBIN, THOMAS J. Constructive Program for Reduction of Cost of Food Distribution in Large Cities, **50**: 247-51.
- Libel, **29**: Sup. Mch., '07, 40.
- Liberal party, **45**: 21, 23, 26, 30. See England, Great Britain.
- Liberty, **4**: Sup. Mch., '94, 50. See Democracy, Slavery.
- LIBERTY, A CENTRAL BANK AS A MENACE TO, **31**: 355-60.
- LIBERTY, RELATION OF THE COLONIAL FEESYSTEM TO POLITICAL, **12**: 58-68.
- Libraries, **14**: 291; **49**: 225.
- LIBRARY OF CONGRESS, MANUSCRIPTS IN THE, **19**: 266-8.
- Licenses, **23**: 514; **41**: 259; **42**: 65, 66, 98, 152, 197, 236, 244, 252, 253, 256, 258-60, 296, 305, 307, 313, 315; **62**: 134-50.
- LICENSING QUESTION IN ENGLAND, THE, **23**: 514-17.

- LICHTENBERGER, J. P. The Instability of the Family, **34**: 97-105; Negro Illiteracy in the United States, **49**: 177-85.
- Lieutenant-Governor, **29**: Sup. Mch., '07, 4, 35, 84.
- LIFE, PROLONGING, AND DEVELOPING PERSONAL POWERS, **59**: 29-39.
- Life insurance, **1**: Sup. Mch., '91, 33, 52-3; **17**: 163; **26**: 181, 208, 209, 300-16. *See* Insurance.
- LIFE INSURANCE ADMINISTRATION, ESSENTIALS OF, **26**: 192-208.
- LIFE INSURANCE METHODS, AMERICAN, **4**: 753-63.
- LIFE INSURANCE, ASSESSMENT **26**: 300-7.
- LIFE INSURANCE, ORGANIZATION AND MANAGEMENT OF THE AGENCY SYSTEM, **26**: 243-55.
- LIFE INSURANCE BUSINESS, RECENT DEVELOPMENTS IN THE, **34**: 578-83.
- LIFE INSURANCE, CONTRACTS IN, POLICY, **26**: 209-28.
- LIFE INSURANCE, ECONOMIC PLACE OF, AND ITS RELATION TO SOCIETY, **26**: 181-9.
- LIFE INSURANCE, FRATERNAL, **26**: 308-16.
- LIFE INSURANCE BY FRATERNAL ORDERS, **24**: 475-88.
- LIFE INSURANCE INVESTMENTS, **26**: 256-68.
- LIFE INSURANCE, LAPSE AND REINSTATEMENT, **26**: 269-82.
- LIFE INSURANCE METHODS, AMERICAN, **4**: 753-63.
- LIFE INSURANCE, CALCULATION OF LIFE OFFICE PREMIUMS, **26**: 229-42.
- LIFE INSURANCE PROFESSION, **28**: 70-81.
- LIFE INSURANCE, THE DISTRIBUTION OF SURPLUS IN: A PROBLEM IN SUPERVISION, **26**: 708-20.
- LIFE INSURANCE CONTRACTS, THE TOTAL DISABILITY PROVISIONS IN AMERICAN, **59**: Sup. M., '15.
- Life-saving, **63**: 238.
- LIGHT, MUNICIPAL AND POWER PLANT, PASADENA'S, **57**: 209-27.
- Lighting: **2**: 707; **51**: 95-6; **57**: 15, 33-7, 41, 42, 89, 133, 220-1; Baltimore, **15**: 476; Cleveland, **13**: 273; **27**: 208; District of Columbia, **27**: 215; Duluth, **27**: 224; gas, **53**: 14; Grand Rapids, **27**: 220; London, **27**: 20-36; Massachusetts, **2**: 709; Newark, **27**: 217; New York, **27**: 111-19, 200; **41**: 78, 81; **57**: 37; Pasadena, **57**: 209-27; Providence, **27**: 218; rates, **53**: 238; **57**: 42; rural, **40**: 173; South Norwalk, **57**: 236; streets, **2**: 715; **41**: 266, 287, 291; **53**: 103, 245; **57**: 35-8; Toronto, **57**: 249, 251; Winnipeg, **57**: 260-1. *See* Electric lighting, Gas, Street lighting.
- LIGHTING CORPORATION, STATE AND THE, **2**: 707-14.
- LIGHTING, ELECTRIC, AND POWER RATES, **53**: 238-50.
- LIGHTING RATES, MUNICIPAL, **57**: 33-44.
- LIGHTHOUSE SAVINGS FUND EXPERIMENT, BANKING AMONG THE POOR, **18**: 286-9.
- Lille, **8**: 342-9.
- LIMBURG, HERBERT R. The Privilege of the Accused to Refuse to Testify, **52**: 124-31.
- Limited dividend company, **51**: 140.
- LINCOLN, C. H. The Position of the American Representative in Congress, **6**: 117-24; Manuscripts in the Library of Congress, **19**: 266-9; Rousseau and the French Revolution, **10**: 54-72.
- Lincoln Highway, **56**: 84, 85.
- LINDARS, FRED W. Efficiency in Budget Making, **41**: 138-50.
- LINDSAY, SAMUEL McCUNE. Child Labor—A National Disgrace, **28**: 301-3; Child Labor, a National Problem, **27**: 331-6; Child Labor and the Public Schools, **29**: 104-9; Unequal Laws an Impediment to Child Labor Legislation, **35**: Sup. Mch., '10, 16-22; The Federal Children's Bureau, **33**: Sup. Mch., '09, 44-8; Translated by. Constitution of the Kingdom of Italy, **5**: Sup. N., '94, 44; Law and Social Progress, **38**: 117-18; The Minimum Wage as a Legislative Proposal in the United States **48**: 45-53; The Public Charities of Porto Rico, **23**: 502-13; Social Work at the Krupp Foundries, **3**: 330-62; A Unit in Sociology—A Reply to Professor Small, **13**: 86-9; Sociological Field Work, **5**: 584-6; The Study and Teaching of Sociology, **12**: 1-48; The Unit of Investigation or of Consideration in Sociology, **12**: 214-28; Translated by. Third Congress of the International Institute of Sociology, held at Paris, July 21-4, 1897, By René Worms, **11**: 109-12. *See also* **19**: 256-8.
- LINDSAY, WILLIAM. The Influence of Corporations on Political Life, **15**: Sup. M., '00, 79-104.
- LINDSEY, BEN B. Child Labor Legislation and Methods of Enforcement in the Western States, **25**: 508-15; The Federal Children's Bureau, **33**: Sup. Mch., '09, 34-6. *See also* **44**: 105; **46**: 36.
- LINDSEY, EDWARD. The Juvenile Court Movement from a Lawyer's Standpoint, **52**: 140-8.
- LING, PYAN. Causes of Chinese Emigration, **39**: 74-82.
- LINGELBACH, W. E. The Doctrine and Practice of Intervention in Europe, **16**: 1-32.
- LIPPINCOTT, ACHSAH. Municipal Markets in Philadelphia, **50**: 134-6.
- LIPPINCOTT, HENRY C. The Essentials of Life Insurance Administration, **26**: 192-208.
- LIPPINCOTT, J. BERTRAM. Book-Publishing, **28**: 1-15.
- Liquor: **3**: 442; **9**: 243; **10**: 154; **12**: 451; **23**: 383; **24**: 407-8; **32**: 531-44; **38**: 31-4; Cincinnati, **23**: 557; Cleveland, **23**: 372; Colorado Springs, **24**: 408; Delaware, **23**: 38; England, **32**: 612-15; New York State, **7**: 514; **11**: 293; Pennsylvania, **23**: 384; Providence, **23**: 377; regulation, **23**: 186-7, 371-88; **32**: 539; San Francisco, **23**: 374; South Carolina, **7**: 370; tax, **4**: 573-4; Virginia, **32**: 528; Wisconsin, **24**: 407; women suffrage, **56**: 143-52. *See* Alcohol, Anti Saloon League, Temperance.
- LIQUOR. THE LICENSING QUESTION IN ENGLAND, **23**: 514-7.
- LIQUOR DEALERS, THE ATTITUDE OF THE DISTILLERS AND WHOLESALE, ON THE REGULATION OF THE LIQUOR TRAFFIC, **32**: 539-44.



- LIQUOR. THE ORIGINAL PACKAGE CASE,** 1: 192-202.
- LIQUOR PROBLEM,** 5: 645.
- LIQUOR PROBLEM, THE COMMITTEE OF FIFTY AND THE INVESTIGATION OF THE,** 11: 225-6.
- LIQUOR TRAFFIC, THE NORWEGIAN COMPANY SYSTEM FOR THE CONTROL OF,** 5: 1009.
- LIQUOR TRAFFIC, THE REGULATION OF THE, IN ENGLAND,** 32: 612-15.
- LIQUOR TRAFFIC, REGULATION OF THE,** 32: N., '08.
- LIQUOR TRAFFIC, WOMAN SUFFRAGE AND THE,** 56: 143-52.
- List, F.,** 4: Sup. Mch., '94, 59, 61-3, 65, 109.
- Literature,** 2: 589; 49: 234-5.
- LITERATURE, CANADIAN,** 45: 189-215.
- LITERATURE AND ART, THE NEGRO IN,** 49: 233-7.
- LITTLEFIELD, CHARLES E. Use and Abuse of Injunctions in Trade Disputes,** 36: 104-18, 119-26.
- Liverpool,** 13: 21; 24: 511-13; 55: 50-2.
- Living: cost, see Cost of Living; standard,** 2: 351; 34: Sup. Jy., '09, 31; 48: 19, 41, 68, 117, 226; 59: 116.
- LIVING, THE COST OF, Vol. 48.**
- LIVING, ADVERTISING AND THE HIGH COST, OF,** 48: 238-43.
- LIVING, THE COST OF, AND HOUSEHOLD MANAGEMENT,** 48: 127-32.
- LIVING, THE COST OF, FOR A WAGE-EARNER'S FAMILY IN NEW YORK CITY,** 48: 104-11.
- LIVING, EFFECT OF THE NEW JERSEY DEPARTMENT OF WEIGHTS AND MEASURES ON THE COST OF,** 50: 86-93.
- LIVING, MUNICIPAL MARKETS IN THEIR RELATION TO THE COST OF,** 48: 140-8.
- LIVING, NEGRO HOME LIFE AND STANDARDS OF,** 49: 147-63.
- LIVING PROBLEM, THE MONETARY SIDE OF THE COST OF,** 48: 133-9.
- Loans,** 17: 171, 546; 36: 511-22; 41: Sup. M., '12, 45; 50: 186, 188. See Finance, Investments.
- LOANS, REAL ESTATE AS SECURITY FOR,** 25: 51-60.
- Loan associations,** 9: 475, 479; 14: 150.
- LOAN ASSOCIATIONS, FARM CREDITS THROUGH FARMERS',** 50: 191-6.
- LOBINGIER, C. S. Some Original and Peculiar Features in the Nebraska Constitution,** 15: 433-7.
- Local government:** 1: 26-42; 9: 238; 11: 183; 16: 182-5; 47: 216; England, 6: 207; 10: 188-99; Louisiana, 47: 39, 221; New York City, 10: 20-32. See Municipal government, Towns, Villages.
- LOCAL GOVERNMENT. THE LOCAL GOVERNMENT OF COUNTRY COMMUNITIES IN PRUSSIA,** 3: 393-408.
- LOCAL GOVERNMENT IN CUBA, THE REORGANIZATION OF,** 25: 311-21.
- Local option, see Alcohol, Liquor, Temperance, Saloons, Anti-Saloon League.**
- LOCAL OPTION MOVEMENT, THE,** 32: 471-5.
- LOCAL OPTION AND ITS RESULTS IN OHIO AND GEORGIA,** 32: 476-81.
- Local regulation, see Regulation.**
- revenue, see Revenue.
- taxation, see Taxation.
- LOCAL VS. STATE CONSTABULARY,** 17: 100-1.
- Locks,** 4: Sup. S., '93, 84-7, 124, 140.
- Lockouts,** 36: 348; 42: 149; 44: 1, 9, 141. See Strikes.
- LOCKPORT PROPOSAL, THE,** 38: 884-7.
- LOCKWOOD, MRS. O. H. Indiana Child Labor Committee,** 38: Sup. Jy., '11, 161-2.
- LOCOMOTIVES, THE MARKET FOR,** 34: 547-51.
- LODGE, H. C. Force and Peace,** 60: 197-212.
- Lodgings,** 9: 162; 10: 153, 160; 19: 510; 37: Sup. M., '11, 19-32.
- LOEB, ISIDOR. County Government in Missouri,** 47: 48-61.
- Log-rolling,** 2: 784, 796.
- Logic,** 44: Sup. N., '12, 14, 31.
- London:** 4: Sup. S., '93, 67; 5: 634, 997; 6: 177, 557; 7: 157, 510, 512; 8: 199-200, 577; 9: 159, 303, 310, 474; 10: 478-85; 13: 25, 277; 15: 295-6; 16: 160; 23: 237-54; 24: 514-19, 556; 25: 325; 27: 20-36, 66-71; 29: 386; 55: 53-4; 61: 60-1; charities, 9: 310; city government, 15: 295; death rate, 1: Sup. F., '91, 14; drainage, 16: 162; dwellings, 6: 336; electric light, 27: 20-36; electric service, 15: 296; fire insurance, 6: 339; gas, 6: 177; 27: 20-36; housing, 7: 512; 9: 159; 16: 160; 25: 248; 51: 101, 169; insanity, 10: 482; international clearing house, 61: 60-1; livery, 7: 157; parks, 9: 469; 16: 163; police, 24: 556-9; sanitation, 17: 540; schools, 6: 561; steamship line agreements, 55: 81; street railways, 7: 144; 9: 474; 13: 277; 27: 66; tramways, 9: 474; unemployed, 26: 779; water, 6: 337, 560; 9: 474; 27: 20-36; water works, 9: 474.
- LONDON, BERLIN, NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA; STREET RAILWAYS IN THE UNITED STATES,** 7: 144-61.
- LONDON, RECENT CHANGES IN THE GOVERNMENT OF,** 23: 237-54.
- LONDON IMPROVEMENT BILL, BETTERMENT CLAUSE OF THE,** 4: 453-4.
- LONDON, MODEL TENEMENTS IN,** 7: 512.
- LONDON, OMAHA, BUFFALO, AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS,** 6: 557-61.
- LONDON, THE POLICE SYSTEM OF,** 24: 556-9.
- LONDON, THE RELATION OF, TO QUASI-PUBLIC WORKS,** 25: 324-6.
- LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE,** 6: 283-9.
- LONDON, TRANSPORTATION FACILITIES AND STREET RAILWAY TRAFFIC IN,** 27: 66-71.
- LONDON, THE WATER, GAS AND ELECTRIC LIGHT SUPPLY OF,** 27: 20-36.
- Long Island Railroad,** 50: 17.
- LONG ISLAND HOME HAMPER, THE,** 50: 166-70.
- LOOMIS, FRANCIS B. Attitude of the United States Toward Other American Powers,** 26: 19-24; The Position of the United States on the American Continent—Some Phases of the Monroe Doctrine, 22: 1-19; Notes on Our Tariff Relations with Mexico, 32: 343-7.
- LOOMIS, MILTON E. Taxation and the Municipal Budget,** 62: 113-24.
- LOOS, ISAAC. The Political Philosophy of Aristotle,** 10: 313-33.
- LORD, ELEANOR L. International Arbitration,** 2: 471-87.



- LORD, E. W. Child Labor in New England, **32**: Sup. Jy., '08, 31-9; Inadequate Schools, **35**: Sup. Mch., '10, 33-4; Textile Industries and Canneries of New England, Child Labor in the, **33**: Sup. Mch., '09, 73-8; Vocational Direction, or the Boy and His Job, **35**: Sup. Mch., '10, 73-85.
- LORIA, ACHILLE. Economics in Italy, **2**: 203-24; The Monroe Doctrine, **54**: 130-1.
- Los Angeles: **3**: 757; **27**: 413-14; **35**: 426-35; **47**: 231; **53**: 109-11, 113-14; budget, **62**: 227; charter, **47**: 9; child labor, **35**: Sup. Mch., '10, 160-1; **38**: Sup. Jy., '11, 156; civic organizations, **27**: 413; city plan, **53**: 116; county government, **47**: 3, 5; electric companies, **53**: 113; franchises, **53**: 115; gas, **53**: 113; juvenile improvement, **38**: Sup. Jy., '11, 156; land value, **62**: 127; municipal league, **53**: 108; public utilities, **53**: 108-18; rates, **53**: 108-10, 112; recall, **43**: 126; recreation, **35**: 426-35; sheriff, **47**: 5; street railways, **53**: 112-13; valuation, **53**: 109; water, **53**: 113; zoning, **51**: 171.
- LOS ANGELES COUNTY CHARTER—COUNTY HOME RULE IN CALIFORNIA, **47**: 229-36.
- LOS ANGELES, PUBLIC UTILITY REGULATION IN, **53**: 108-18.
- LOS ANGELES, CALIFORNIA, RECREATIVE CENTERS OF, **35**: 426-35.
- LOTT, EDSON S. Accident Insurance, **26**: 483-98.
- LOTZ, WALTHER. The Present Significance of German Inland Waterways, **31**: 246-62; The Monetary Situation in Germany, **4**: 61-81.
- Louis XIV, **1**: Sup. Mch., '91, 27; **4**: Sup. Mch., '94, 25.
- Louis XV, **4**: Sup. Mch., '94, 25.
- Louis XVI, **4**: Sup. Mch., '94, 25.
- Louisiana, **3**: 536; **13**: 225; **16**: 99; **38**: 693; **41**: Sup. M., '12, 12; **47**: 39, 43; **53**: 59; banks, **3**: 536; **36**: 695; child labor, **33**: Sup. Mch., '02, 162-5; **35**: Sup. Mch., '10, 168; **38**: Sup. Jy., '11, 165; commission government, **38**: 734; constitutional legislation, **13**: 213; election laws, **13**: 217; forests, **33**: 504, 510; health, **47**: 45; legislation, **13**: 225; paupers, **47**: 45; police, **47**: 39, 221; representation, **16**: 93; sanitation, **47**: 45; suffrage, **13**: 213; **15**: 164.
- LOUISIANA. THE FORWARD STEP IN CHILD LABOR IN, **33**: Sup. Mch., '09, 162-5.
- LOUISIANA, PARISH GOVERNMENT IN, **47**: 39-47.
- Louisville: accounting, **28**: 459; charter, **6**: 63-9; **17**: 63-9; mayor, **7**: 66; Negro libraries, **49**: 225; paving, **29**: 589; schools, **7**: 66; taxation, **7**: 67.
- LOVEJOY, A. O. Children's Protective Alliance of Missouri, **35**: Sup. Mch., '10, 176-7.
- LOVEJOY, OWEN R. The Extent of Child Labor in the Anthracite Coal Industry, **29**: 35-49; Child Labor in the Coal Mines, **27**: 293-9; Some Unsettled Questions about Child Labor, **33**: Sup. Mch., '09, 49-62; Child Labor in the Glass Industry, **27**: 300-11; The Test of Effective Child Labor Legislation, **25**: 459-66; Child Labor in the Soft Coal Mines, **29**: 26-34; Seven Years of Child Labor Reform, **38**: Sup. Jy., '11, 31-8; The Function of Education in Abolishing Child Labor, **32**: Sup. Jy., '08, 80-91; The Coal Mines of Pennsylvania, **38**: Sup. Jy., '11, 133-8; The Federal Children's Bureau, **35**: Sup. Mch., '10, 61-72.
- LOVELY, COLLIS. The State-Use System, **46**: 138-41.
- LOW, A. MAURICE. The Attitude of Europe Toward the Monroe Doctrine, **54**: 99-106; A Suggestion for the Prevention of Strikes, **26**: 740-45.
- LOW, SETH. The National Civic Federation and Industrial Peace, **44**: 10-17; The Position of the United States Among the Nations, **26**: 1-15. See also **41**: 247.
- LOWELL, A. LAWRENCE. Oscillations in Politics, **12**: 69-97; The Government of Dependencies, **13**: Sup. M., '99, 46-59.
- LOWELL, JAMES A. Workmen's Compensation and the Industries of Massachusetts, **38**: 238-40.
- LOWREY, DWIGHT M. The Basis of Interest, **2**: 629-52.
- LOWRIE, S. GALE. The Proper Function of the State Budget, **62**: 47-63; The Wisconsin Plan for the Initiative and Referendum, **43**: 179-90.
- LUCE, ROBERT. The Next Legislation on Industrial Disputes in Massachusetts, **36**: 407-18.
- LUDDLAM, CHARLES S. Methods of Auditing and Accounting in a Bond House, **30**: 284-91.
- LUETSCHER, G. D. Atlantic Coastwise, Canals: Their History and Present Status, **31**: 92-101.
- Lumber, **4**: Sup. S., '93, 150-1; **29**: 556-8; **34**: 532-48; **42**: 268; **58**: 155.
- LUMBER INDUSTRY, TRADE REVIVAL IN THE, **34**: 512-19.
- LUMBER TRADE, THE TARIFF AND THE, **29**: 556-8.
- LUMBER. THE YELLOW PINE SITUATION, **34**: 532-8.
- LUNDRIGAN, JOHN. State Agencies for Dealing with Labor Disputes—The Experience of New York, **36**: 397-406.
- Luxury, **3**: 286.
- LYMAN, CHESTER W. What Ought the Tariff Rates to be on Paper and Pulp, **32**: 300-9.
- Lyman School for Boys, **46**: 72.
- Lynching, **15**: 493; **29**: 622; **49**: 75; **52**: 171. See Punishment, Negroes, South.
- LYNDE, CORNELIUS. The Federal Trade Commission and its Relation to the Courts, **63**: 24-36.
- LYON, F. EMORY. Prison Labor and Social Justice, **46**: 147-53.
- LYON, HASTINGS. Shall the Government Regulate the Sale of Securities, **63**: 255-62.
- LYONS, THOMAS E. The Wisconsin Income Tax, **58**: 77-86.
- MACAFEE, JOHN BLAIR. Result of Further Legislative Regulation of Electric Railways, **31**: 695-700.
- MACARTHUR, WALTER. Opposition to Oriental Immigration, **34**: 239-46; Political Action and Trade Unionism, **24**: 316-30.

- MACASSEY, LYNDEN.** Transportation Facilities and Street Railway Traffic in London, **27**: 66-71.
- MACCORKLE, WILLIAM A.** The Monroe Doctrine and its Application to Haiti, **54**: 28-56.
- MACFARLANE, C. W.** Economic Theory in America Prior to 1776, **6**: 124-8; Pennsylvania Paper Currency, **8**: 50-126; Rent and Profit, **5**: 90-103; The Three Primary Laws of Social Evolution, **20**: 386-400; The Ultimate Standard of Value, by Eugen v. Böhm-Bawerk (trans.) **5**: 149-208.
- MACFARLANE, JOHN J.** Present Condition of International Trade, **34**: 445-56.
- MACGREGOR, FORD H.** Commission Government in the West, **38**: 726-47.
- MACH, EDMUND VON.** An Argument Against the Exportation of Arms, **60**: 192-4.
- MACHINERY, 9**: 179; **20**: 223-31; **22**: 499; **27**: 491; **39**: 53; **42**: 3, 27, 56, 237, 313, **61**: 154-5.
- MACHINERY, CONCENTRATION OF INDUSTRY AND, IN THE UNITED STATES, 9**: 178-97.
- MACHINERY, NOTE ON PROF. GRAZIANI'S ECONOMY THEORY OF, 2**: 522-30.
- MACHINES, ECONOMIC THEORY OF, 2**: 838-41.
- MACHINES, THE TARIFF AND THE PRICE OF AGRICULTURAL, 29**: 522.
- MACHINISTS, INTERNATIONAL ASSOCIATION OF, 44**: 74.
- MACHINISTS, THE MANHOOD TRIBUTE TO THE MODERN MACHINE: INFLUENCES DETERMINING THE LENGTH OF THE TRADE LIFE AMONG, 27**: 491-5.
- MAC KNIGHT, KATE CASSATT.** Report of the Civic Committee of the General Federation of Women's Clubs, **28**: 293-6.
- MACRAE, HUGH.** Vitalizing the Nation and Conserving Human Units through the Development of Agricultural Communities, **63**: 278-86.
- MACVANE, SILAS M.** The Austrian Theory of Value, **4**: 348-77.
- MACVEAGH, FRANKLIN.** Civil Service Pensions, **38**: 3-5.
- MACY, JESSE.** Parliamentary Procedure **3**: 306-29.
- Madero, 54**: 150, 154-5, 168, 175-6, 212.
- Madison, 53**: 100.
- MADISON, WISCONSIN, THE PARK MOVEMENT IN, 35**: 297-303.
- Madrid, 27**: 124; **31**: 482.
- MADRID. ITS GOVERNMENT AND MUNICIPAL SERVICES, 27**: 120-31.
- MAHAIM, ERNEST.** Proportional Representation and the Debates upon the Electoral Question in Belgium, **15**: 381-404.
- Maine: 15**: 204-35; **43**: 159, 162-3; **47**: 28; **53**: 6, 20, 57; **55**: 43; labor, **32**: Sup. Jy., '08, 132-3; **33**: Sup. Mch., '09, 181; **35**: Sup. Mch., '10, 169; **38**: Sup. Jy., '11, 165-6; initiative, **43**: 85, 101, 161, 163-6; 199, 210; probation, **32**: 584; recall in, **43**: 177; referendum, **43**: 85, 101, 159-78, 199, 210; tax commission, **58**: 121; wages, **35**: Sup. Mch., '10, 45.
- MAINE CHILD LABOR COMMITTEE, 32**: Sup. Jy., '08, 132-3.
- MAINE'S EXPERIENCE WITH THE INITIATIVE AND REFERENDUM, 43**: 159-78.
- Mains, 53**: 188, 229-30.
- Maintenance, 41**: 120; **51**: 32-3.
- Majorities, 1**: 404; **6**: 383; **29**: Sup. Mch., '07, 5, 18-20, 84.
- MALING, ERNEST H.** Financial Administration of the Commonwealth of Massachusetts, **62**: 101-12.
- MALLERY, OTTO T.** The Social Significance of Play, **35**: 368-73.
- MALTBIE, MILO R.** The Distribution of Functions Between Local and State Regulation, **57**: 163-9; The Fruits of Public Regulation in New York, **37**: 170-90. *See* **50**: 240.
- Malthus, Robert, 4**: Sup. Mch., '94, 32, 41-2, 89, 127.
- Management, 44**: 18, 61, 63-6, 68, 88, 98, 125, 131; **57**: 86. *See* Scientific management.
- MANAGEMENT, THE GOVERNMENT'S RELATION TO CORPORATE CONSTRUCTION AND, 32**: 3-29.
- Manchester, England, 4**: Sup. S., '93, 15, 75; **4**: Sup. Mch., '94, 24, 47; **8**: 584; **13**: 20; **29**: 390; **62**: 209.
- Manchuria, 39**: 24, 39, 40, 51-3, 113, 133, 154, 165, 167-8.
- MANCHURIA, AMERICAN COMMERCIAL INTERESTS IN, 39**: 154-68.
- MANCHURIAN PROBLEM, THE ONE SOLUTION OF THE, 39**: 39-55.
- MANDEL, ARCH M.** Budgetary Procedure under the Manager Form of City Government, **62**: 163-75.
- MANGOLD, GEORGE B.** The Church and Philanthropy, **30**: 522-38.
- Manifesto of the Communists, 4**: Sup. Mch., '94, 90, 93.
- Manila, 33**: 89-96.
- MANOR, MEDIAEVAL, TRANSLATION OF A TYPICAL EXTENT, 4**: 275-91.
- Manual training, educational value of, 3**: 147.
- MANUFACTURE, HOSIERY, IN THE UNITED STATES, 34**: 539-46.
- MANUFACTURE, SPECIALIZATION IN, 25**: 43-50.
- Manufacturers: 36**: Sup. S., '10, 27-9; **38**: Sup. S., '11, 23-5; **50**: 80; **59**: 285-6; **60**: 50; prices, **50**: 80-2; South America, **34**: 520-31.
- MANUFACTURERS, SIMPLIFIED COST ACCOUNTING FOR, 61**: 165-73.
- MANUFACTURER, THE IMPORTANCE OF COST-KEEPING TO THE, 22**: 459-69.
- MANUFACTURER, THE, AND THE DOMESTIC MARKET, 25**: 1-20.
- MANUFACTURER'S NEED OF RECIPROCITY, 19**: 185-203.
- MANUFACTURER, SHOULD THE, HAVE THE RIGHT TO FIX SELLING PRICES? 63**: 55-66.
- MANUFACTURER. SOUTH AMERICA—OUR MANUFACTURERS' GREATEST OPPORTUNITY, 34**: 520-31.
- Manufactures, 8**: 317; **12**: 380; **45**: 224.
- MANUFACTURES, AMERICAN, AND FOREIGN MARKETS, 29**: 515-21.
- MANUFACTURES. BREWING INDUSTRY, THE PROSPERITY OF THE, 34**: 485-95.

- MANUFACTURES. DISTILLING INDUSTRY, PRESENT AMERICAN BUSINESS CONDITIONS IN THE, **34**: 569-77.
- MANUFACTURES, IRON TRADE, THE AMERICAN, OF 1909 AND THE OUTLOOK, **34**: 496-506.
- MANUFACTURES. LUMBER INDUSTRY, TRADE REVIVAL IN THE, **34**: 512-9.
- MANUFACTURES, STOVE TRADE, THE, **34**: 463-6.
- MANUFACTURES. WOOLENS, REVIVAL OF THE TRADE IN, **34**: 477-84.
- MANUFACTURES. THE YELLOW PINE SITUATION, **34**: 532-8.
- Manufacturing: **8**: 317; **35**: Sup. J., '10, 4; **42**: 126, 129, 131; **59**: 37, 196; **61**: 87-8, 156; **63**: 46-7; convict labor, **46**: 80; education, **28**: 115-23; specialization in, **25**: 43.
- MANUFACTURING, HIGHER EDUCATION FOR BUSINESS PURSUITS AND, **28**: 115-23.
- MANUFACTURING, STOVE, CONDITIONS IN, **34**: 457-62.
- MANUFACTURING INDUSTRIES, THE RELATION OF RESEARCH TO THE PROGRESS OF, **59**: 86-95.
- MARBURG, THEODORE. The Panic and the Present Depression, **32**: 55-62; Amendment of the Sherman Anti-Trust Law, **32**: 34-42; World Court and League of Peace, **61**: 276-83.
- Marx, Karl, **44**: Sup. N., '12, 20-4.
- Marine insurance, **26**: 453, 582-4. *See* Insurance.
- MARINE INSURANCE, THE DEVELOPMENT AND PRESENT STATUS OF, IN THE UNITED STATES, **26**: 422-52.
- MARINE INSURANCE, POLICY CONTRACTS IN, **26**: 453-79.
- MARITIME UNIONS, THE WAGE SCALE AGREEMENTS OF THE, **36**: 349-65.
- MARKER, JAMES R. Experimental Road Work in Ohio, **46**: 97-8.
- Marketing, **48**: 140, 147, 228, 232, 282; **50**: 1, 20-34, 102, 111, 227, 232, 255; **52**: 16; **59**: 40-1, 65-6, 77-85, 88. *See* Markets.
- MARKETING COSTS, THE COÖPERATIVE LAMB CLUB AS AN AGENCY FOR LOWER, **50**: 216-22.
- MARKETING, METHODS OF, AND THE GRAIN CROP, **38**: 354-75.
- MARKETING, THE MOTOR TRUCK AS AN AGENCY IN DIRECT, **50**: 20-34.
- MARKETING OF PRODUCE, WHAT FARMERS CAN DO TO FACILITATE THE TRANSPORTATION AND, **50**: 37-43.
- MARKETING, THE SCIENTIFIC STUDY OF, **59**: 77-85.
- Markets: **25**: 1-20; **48**: 140-9; **50**: 104, 109, 111, 116-17, 119-27, 161, 256; **59**: 291, 293; **61**: 5; administration, **50**: 105; auction, **50**: 163; Baltimore, **50**: 125; bureau, **50**: 117; car-lot, **50**: 1, 8; Cleveland, **50**: 128-30; coffee, **38**: 610-20; Cologne, **50**: 159; commission merchants, **50**: 147; curbstone, **50**: 112-13, 128-9, 133; district, **48**: 151; **50**: 137-8; Dresden, **50**: 159; Dubuque, **50**: 116, 139-52; European, **50**: 106, 115; expenditures, **50**: 104; farm products, **50**: 122; foreign, **29**: 515; Germany, **50**: 54-6, 158-60; Hamburg, **50**: 160; home, **59**: 291, 293; huckster, **50**: 147; Indianapolis, **50**: 131, 139-52; master, **48**: 151; Milwaukee, **50**: 132-3; Minneapolis, **50**: 227; Montreal, **50**: 112; municipal, **50**: 139-52, 249; New Orleans, **50**: 139-52; news service, **50**: 259; open-air, **50**: 112-13; peddlers, **50**: 114; Pennsylvania, **50**: 111; Philadelphia, **50**: 134-5; prices, **50**: 162; produce, **22**: 205; **38**: 319, 422-43, 524-39; **45**: 250; **48**: 213; **50**: 37-43, 57-68; **59**: 78-80; producers, **50**: 163, 170; public, **48**: 149-53; **50**: 119, 139-52; regulation, **48**: 215; reports, **48**: 146; retail, **50**: 147, 153; Rochester, **50**: 137, 139-52; South America, **59**: 309-15; stalls, **50**: 104, 109-10, 113, 119, 154; stock, **14**: 184; superintendent, **50**: 117; terminal, **48**: 146, 209; **50**: 104-5, 114; waterfront, **50**: 135; wholesale, **48**: 147, 233; **50**: 105-9, 153-65. *See* Marketing.
- MARKETS, AMERICAN MANUFACTURES AND FOREIGN, **29**: 515-21.
- MARKETS, SOME TYPICAL AMERICAN, **50**: 118.
- MARKETS, BALTIMORE'S, **50**: 119-27.
- MARKETS, CAR-LOT, AND HOW THEY ARE SUPPLIED, **50**: 1-9.
- MARKETS IN CLEVELAND, MUNICIPAL, **50**: 128-30.
- MARKETS, COMMUNAL BENEFITS FROM THE PUBLIC CONTROL OF TERMINAL, **48**: 149-53.
- MARKETS, FUNCTIONS AND NEEDS OF OUR GREAT, **45**: 245-62.
- MARKET, THE INDIANAPOLIS, **50**: 131.
- MARKET, THE MILWAUKEE MUNICIPAL, **50**: 132-3.
- MARKETS, MUNICIPAL, **50**: 102-17.
- MARKETS, MUNICIPAL, IN THEIR RELATION TO THE COST OF LIVING, **48**: 140-8.
- MARKET NEWS, THE SOURCES OF, **35**: 617-26.
- MARKETS, THE OFFICE OF, OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, **50**: 252-9.
- MARKETS IN PHILADELPHIA, MUNICIPAL, **50**: 134-6.
- MARKETS, CURRENT SOURCES OF INFORMATION IN PRODUCE, **38**: 422-3.
- MARKETS, A QUESTIONNAIRE ON, **50**: 139-52.
- MARKET, THE ROCHESTER PUBLIC, **50**: 137-8.
- MARKETS, SOUTH AMERICAN, **59**: 309-15.
- Markets, terminal, **48**: 159-53.
- MARKETS, WHOLESALE TERMINAL, IN GERMANY AND THEIR EFFECT ON FOOD COSTS AND CONSERVATION, **50**: 153-65.
- MARSH, MARCUS M. Effects of Anti-Trust Legislation on Business, **32**: 45-9; The Canadian Industrial Disputes Act, **44**: 1-9.
- Marlo, Karl, **4**: Sup. Mch., '94, 88-9.
- MARQUIS, J. CLYDE. Advertising as an Aid to Direct Selling, **50**: 197-202; Social Significance of the Agricultural Press, **40**: 158-62.
- Marriage: **5**: 859; **26**: 745; China, **39**: 68; limitation, **3**: 227; stability, **34**: 97; unfit, **3**: 277. *See* Divorce, Family.
- MARRIAGE AND DIVORCE PROVISIONS IN THE STATE CONSTITUTIONS OF THE UNITED STATES, **26**: 745-8.

- MARRIED WOMEN'S PROPERTY IN ANGLO-SAXON AND ANGLO-NORMAN LAW, 4: 233-64.
- MARSH, ARTHUR R. Cotton Exchanges and Their Economic Functions, 38: 571-98.
- MARSH, BENJAMIN C. Can Land be Overloaded? 51: 54-8; The Unused Assets of our Public Recreation Facilities, 35: 382-5; Causes of Vagrancy and Methods of Eradication, 23: 445-56.
- Marshall, A., 44: Sup. N., '12, 6.
- MARSHALL, ALFRED. Consumer's Surplus, 3: 618-20.
- Marshall, Chief Justice, on legislative power, 52: 16.
- MARSHALL, FLORENCE M. Industrial Training of Women, 33: 119-26.
- MARTIN, GERTRUDE S. The Education of Women and Sex Equality, 56: 38-46.
- MARTIN, SELDEN O. The Scientific Study of Marketing, 59: 77-85.
- Martinez, Dr. Marcial, 54: 64.
- MARTINEZ-SOBRAL, ENRIQUE. Banking in Mexico, 37: 609-17.
- von der Marwitz, A., 4: Sup. Mch., '94, 61.
- Marx, Karl, 4: Sup. Mch., '94, 47, 81, 86-93, 95, 97; 18: 391; 44: 2, 7, 13, 15, 19-25, 27, 39, 70-1, 84, 89.
- Marxism, 18: 391.
- Maryland: 1: 544; 15: 204-35; 29: Sup. Mch., '07, 8-9, 25, 63, 67, 76-7; 53: 59; 58: 121; ballot, 17: 533; charities, 25: 193; child labor, 29: 26, 154-6; 32: Sup. Jy., '08, 130-1; constitution, 1: 544; Consumers' League of, 29: 169-70; Negro, 49: 6; public utilities, 57: 65; state regulation, 53: 94; tax commission, 58: 121; women's clubs, 56: 84.
- MARYLAND CHILD LABOR COMMITTEE, 32: Sup. Jy., '08, 130-1; 35: Sup. Mch., '10, 169-70; 38: Sup. Jy., '11, 166-7.
- MASON, ALFRED BISHOP. Mexico and Her People, 54: 186-90.
- Mason, A. T., 4: Sup. S., '93, 142.
- MASON, ELLA JORDAN. Maine Child Labor Committee, 32: Sup. Jy., '08, 132-3; 33: Sup. Mch., '09, 181; Maine Child Labor Committee, 35: Sup. Mch., '10, 169; Maine Child Labor Committee, 38: Sup. Jy., '11, 165-6.
- Massachusetts: 1: 173, 548; 1: Sup. J., '91, 3; 3: 3, 271; 6: 213; 9: 292, 469; 12: 103, 149, 157, 229, 231, 304, 452; 14: 382; 15: 204-35; 18: 435; 29: Sup. Mch., '07, 4, 12, 35, 43, 68, 77, 79; 32: 513; 35: Sup. Mch., '10, 239-74; 36: 378; 37: Sup. M., '11, 18; 47: 28-9, 134-5, 139, 142, 144, 149; 51: 141, 143; 52: 11, 23, 135, 137-8; 53: 7, 60; 62: 101-12; accounting, 47: 203; arbitration, 17: Sup. J., '01, 33; banks, 3: 538; 36: 642; bonds, 62: 111-12; budget, 62: 101-3, 107; charities, 5: 823; 10: 490; 12: 452; 17: 372-6; child labor, 22: 540; 32: Sup. Jy., '08, 131-2; 33: Sup. Mch., '09, 182; 35: Sup. Mch., '10, 7-12, 111-13, 144, 170-4; 38: Sup. Jy., '11, 167-70; city planning, 50: 242; Civic League, 29: 454-5; civil service, 9: 292; 16: 319; 17: 142; 47: 104; cold storage, 50: 46; constitution, 1: 548; Consumers' League, 29: 170; counties, 47: 164; crime, 13: 285; delinquent boys, 46: 72-5; Economy and Efficiency Commission, 62: 103; education, 8: 333; 22: 304-9; elections, 13: 217-18; Electric Light Commission, 16: 318; finance, 62: 101-12; franchise, 27: 91; gas, 2: 709, 712; 12: 304; 16: 318; 53: 269; Gas and Electric Light Commissioners, The Board of, 53: 232; General Electric Company, 33: 141; imprisonment, 46: 35; indeterminate franchises, 53: 12, 136; indeterminate permit, 53: 143; industrial disputes, 36: 407-18; insurance, 24: 478; juvenile court, 36: 57; labor, 5: 644; 17: Sup. J., '01, 9, 83, 107, 158; 33: 287-300; 35: Sup. Mch., '10, 134-6; 44: 104; land, 13: 228; lighting corporations, 2: 709; minimum wage, 48: 13-21, 46, 48; 56: 102, 132; municipal accounting, 22: 378; municipal utilities, 57: 62; park commission, 9: 469; parks, 14: 138; poor law, 12: 157; prisons, 14: 153; 21: 494; probation, 20: 260; profits, 53: 181; public service commission, 53: 9; public service corporation, 53: 181-255; railway commissioners, 14: 382; roads, 5: 269; schools, 8: 333; 33: 56-67; sliding scale, 53: 14; street railways, 5: 995; 11: 423; 12: 304; 13: 226; 27: 91-110; 29: 276; 53: 12; tax commission, 58: 121, 126; tramps, 10: 136, 156; unemployment, 6: 347; valuations, 58: 115; voting, 2: 733-50; wages, 48: 13, 15, 46; 59: 114; water, 13: 272; 14: 382; 16: 319; Women's Christian Temperance Union, 32: 514; women's clubs, 56: 84.
- MASSACHUSETTS, THE APPRENTICESHIP SYSTEM OF THE GENERAL ELECTRIC COMPANY AT WEST LYNN, 33: 141-50.
- MASSACHUSETTS, PRACTICAL WORKING OF THE AUSTRIAN SYSTEM OF VOTING IN, 2: 733-50.
- MASSACHUSETTS BUREAU OF STATISTICS, 35: Sup. Mch., '10, 134-6.
- MASSACHUSETTS CHILD LABOR COMMITTEE, 33: Sup. Mch., '09, 182; 38: Sup. Jy., '11, 167-70.
- MASSACHUSETTS, CHILD LABOR LEGISLATION IN, 35: Sup. Mch., '10, 7-12.
- MASSACHUSETTS COMMITTEE ON CHILD LABOR AND LEGISLATION OF THE CONSUMERS' LEAGUE OF, 32: Sup. Jy., '08, 131-2.
- MASSACHUSETTS CONSUMERS' LEAGUE, COMMITTEE ON CHILD LABOR OF, 29: 170-2.
- MASSACHUSETTS, IMPROVEMENT OF COUNTRY ROADS IN, AND NEW YORK, 5: 269-71.
- MASSACHUSETTS. EIGHT HOUR DAY AND PROHIBITION OF NIGHT WORK, 35: Sup. Mch., '10, 239-74.
- MASSACHUSETTS, FINANCIAL ADMINISTRATION OF THE COMMONWEALTH OF, 62: 101-12.
- MASSACHUSETTS, THE NEXT LEGISLATION ON INDUSTRIAL DISPUTES IN, 36: 407-18.
- MASSACHUSETTS LABOR LEGISLATION, 17: Sup. J., '01.
- MASSACHUSETTS LABOR LEGISLATION, RECENT, 33: 287-300.
- MASSACHUSETTS AND THE MINIMUM WAGE, 48: 13-21.
- MASSACHUSETTS, STREET RAILWAY FRANCHISES IN, 27: 91-110.
- MASSACHUSETTS, WORKMEN'S COMPENSATION AND THE INDUSTRIES OF, 38: 238-40.



- MATHER, ROBERT. How the States Make Interstate Rates, **32**: 102-19.
- MATHEWS, G. C. The Truth About State Regulation of Utilities in Wisconsin, **54**: 303-20.
- MATHEWS, JOHN M. The Commission Statute of New Jersey, **38**: 773-7.
- MATHEWSON, CHARLES F. Holding Companies and the Public Welfare, **57**: 305-12.
- Matrimony: profession, **56**: 33; social control, **56**: 27-8.
- MAVOR, JAMES. The Relation of Economic Study to Public and Private Charity, **4**: 34-60.
- MAY, M. B. National Civil Service Reform League, **11**: 269-71.
- MAYER, JULIUS M. Administration of the Criminal Law in the Inferior Courts, **36**: 169-74.
- Mayo-Smith, R., **4**: Sup. S., '93, 56.
- Mayors, **4**: 870-1; **12**: 147-8, 153; **16**: 156, 320; **57**: 255.
- MAYORS, CONFERENCE, AMERICAN, Vol. **57**.
- Mayr, G., **4**: Sup. Mch., '94, 118.
- MCCAFFREY, GEORGE H. The Police and the Administration of Justice, **52**: 56-60.
- MCCLEARY, JAMES T. Big Business and Labor, **42**: 25-37.
- MCCORMICK, FREDERICK. The Open Door, **39**: 56-61.
- MCCREA, ROSWELL C. Tendencies in the Taxation of Transportation Companies in the United States, **15**: 355-80.
- MCDERMOTT, E. J. History of a Municipal Charter in Kentucky, **7**: 63-9.
- MCDONALD, FRANK R. The Workhouse as a Reformatory, **46**: 99-104.
- MCDOWELL, JAMES R. Child Labor Legislation in a Southern State, The Difficulties of, **33**: Sup. Mch., '09, 166-71.
- MCGEE, W. J. Water as a Resource, **33**: 521-34.
- MCGRATH, T. S. Timber Bond Features, **41**: Sup. M., '12, 1-8.
- MCINTYRE, FRANK. Railroads in the Philippine Islands, **30**: 52-61.
- MCIVER, CHARLES D. Current Problems in North Carolina, **22**: 293-303.
- McIver, David, **55**: 50.
- McKELWAY, A. J. Child Labor Laws in New Territory, **38**: Sup. Jy., '11, 139-43; Child Labor in Southern Industry, **25**: 430-6; Child Labor in the Southern Cotton Mills, **27**: 259-69; The Child Labor Problem—A Study in Degeneracy, **27**: 312-26; The Awakening of the South Against Child Labor, **29**: 9-18; Southern States, Report of Child Labor Committees of, **33**: Sup. Mch., '09, 196-8; The Leadership of the Child, **32**: Sup. Jy., '08, 19-30; The Mill or The Farm, **35**: Sup. Mch., '10, 52-7; The Child and The Law, **33**: Sup. Mch., '09, 63-72; Child Labor in the South, **35**: 156-64; Reports of Child Labor Committees from Southern States, **35**: Sup. Mch., '10, 192-4; The Cotton Mill: The Herod Among Industries, **38**: Sup. Jy., '11, 39-52.
- McKinley Bill, **3**: 6; **49**: 60.
- McKINNEY, NOLA. West Virginia Child Labor Committee, **35**: Sup. Mch., '10; West Virginia Child Labor Committee, **35**: Sup. Jy., '11.
- MCLEAN, FRANCIS. Report of Committee of the National Consumers' League on International Relations, **36**: Sup. S., '10, 43-4; **38**: S., '11, 39-42.
- MCLEOD, F. F. Fiat Money and Currency Inflation in New England from 1620 to 1789, **12**: 229-49.
- MCROBERTS, SAMUEL. The Extension of American Banking in Foreign Countries, **36**: 502-10.
- MEAD, E. S. The Fallacy of "Big Business," **42**: 83-8; The Investor's Interest in the Demands of the Anthracite Miners, **21**: 36-45; The Relative Stability of Gold and Silver, **14**: 38-72; The Work of the Promoter, **20**: 559-70; The Reorganization of Railroads, **17**: 205-43; The Situation of the United States at the Close of the War as a Question of National Defense, **60**: 138-42; The Recent Production of Silver and Its Probable Future, **14**: 327-43; The Financial Aspects of the Trust Problem, **16**: 345-403.
- Measures, *see* Weights and measures.
- Meats: Chicago, **28**: 317; Cincinnati, **28**: 327; cost of, **48**: 147, 246; Europe, **50**: 115; inspection, **40**: 104; New Orleans, **28**: 329; New York, **58**: 126; Providence, **28**: 336; Prussia, **13**: 367.
- MEAT PACKING INDUSTRY, PROSPECTS OF THE, **34**: 471-6.
- MEAT SUPPLY, THE RECENT INSPECTION OF, **28**: 317-37.
- MEATS, THE TARIFF AND OUR FOREIGN TRADE IN, **29**: 537-41.
- MEDICAL CHARITY, THE PROBLEM OF, **23**: 409-23.
- Medical inspection, *see* Children, Inspection, Schools.
- MEDICINE AS PRACTICED BY THE CHINESE, **39**: 124-9.
- Mediterranean ports, **55**: 64, 78-9.
- MEEKER, ROYAL. The Work of the Federal Bureau of Labor Statistics in Its Relation to the Business of the Country, **63**: 263-71; Some Recent Surveys of Unemployment, **61**: 24-9.
- MEITZEN, AUGUST. The History, Theory and Technique of Statistics. Part I, History of Statistics. Translated by Roland P. Falkner, **1**: Sup. Mch., '91; The History, Theory and Technique of Statistics. Part II, Theory and Technique of Statistics. Translated by Roland P. Falkner, **1**: Sup. M., '91. *See also* **4**: Sup. S., '93, 79, 107.
- MELVILLE, GEORGE W. The Important Elements in Naval Conflicts, **26**: 121-36.
- Memphis, municipal markets in, **50**: 139.
- Men, **56**: 50, 53.
- MEN, THE NEW PROFESSION OF HANDLING, **61**: 121-6.
- Menocal, A. G., **4**: Sup. S., '93, 139-40, 142.
- MERCANTILE BUSINESS, THE EVOLUTION OF, **15**: Sup. M., '00, 121-35.
- MERCANTILE HOUSES OF PITTSBURGH, WORK OF WOMEN IN THE, **33**: 326-37.
- Merchandise, **30**: Sup. S., '07, 64.
- MERCHANT, E. O. Rate Making in Domestic Water Transportation, **55**: 205-31.



- Merchant marine, **19**: 46-50; **29**: 473; **37**: 582-91; **55**: 47, 67, 255-63; **60**: 3-4, 54-6, 90; **61**: 76-8, 84; **63**: 242-3.
- MERCHANT MARINE, THE IMPORTANCE OF AN AMERICAN, **60**: 52-7.
- MERCHANT MARINE, RECOMMENDATIONS OF THE COMMITTEE ON THE, AND FISHERIES, **55**: 255-62.
- Merchants: Boston, **11**: 282; Buffalo, **4**: Sup. S., '93, 57; commission, **50**: 147; exchanges, **38**: 540-4; New York, **53**: 66. See Commission merchants.
- Merit system, see Civil service.
- MERIT SYSTEM, THE, AND THE COUNTY CIVIL SERVICE, **47**: 101-11.
- MERRIAM, CHARLES E. Investigations as a Means of Securing Administrative Efficiency, **41**: 281-303; Budget Making in Chicago, **62**: 270-6; The Case for Home Rule, **57**: 170-4.
- MERRIAM, LUCIUS S. The Theory of Final Utility in Its Relation to Money and the Standard of Deferred Payments, **3**: 483-501; Money as a Measure of Value, **4**: 966-9.
- MERRILL, J. C. F. Classification of Grain into Grades, **38**: 376-95.
- MERRILL, O. C. Water-Power Development on the National Forests and Proposed New Legislation, **63**: 244-54.
- MERRILL, W. W. The Rochester Public Market, **50**: 137-8.
- MERRITT, ARTHUR H. Mouth Hygiene and Its Relation to Health, **37**: 472-86.
- MERRITT, WALTER GORDON. The Law of the Danbury Hatters' Case, **36**: 265-76.
- MERSHON, W. B. The Tariff and the Lumber Trade, **29**: 556-8.
- Messenger boys, **32**: Sup. Jy., '08, 119-23; **34**: 93; **38**: Sup. Jy., '11, 103-4.
- Metal Trades Association, **44**: 74-6, 79-84.
- METAL TRADES ASSOCIATION, INDUSTRIAL BETTERMENT ACTIVITIES OF THE NATIONAL, **44**: 74-85.
- METCALF, JAMES A. Dangers that Lurk in the Recall of the Judiciary, **43**: 278-85.
- METROPOLITAN DISTRICTS, CAUSES FOR DISSATISFACTION WITH THE ADMINISTRATION OF JUSTICE IN, **52**: 208-24.
- METROPOLITAN DISTRICT, METHODS OF SELECTING AND RETIRING JUDGES IN A, **52**: 1-12.
- METROPOLITAN PARK SYSTEM, THE BOSTON, **35**: 280-6.
- Mexico: **22**: 47-55, 531-44; **29**: 625; **54**: 5, 12, 14, 112, 127, 134-7, 145-6, 150, 154-5, 157, 162-6, 175-90, 194, 196, 198-9, 201-3, 205-7, 211, 213-14, 217, 220-2, 224-7, 229, 231-3, 236, 238, 242, 293; **55**: 72-3, 90-1, 93; **60**: 62; constitution, **2**: 1-47; constitutional party, **54**: 166-74; labor, **20**: 77; municipal administration, **22**: 533-4; police system, **22**: 532-3; sanitation, **22**: 532; street railways, **22**: 531-2; theaters, **22**: 534; water, **22**: 532.
- MEXICO, BANKING IN, **37**: 609-17.
- MEXICAN CONFERENCE, LATIN AMERICA AND THE, **22**: 47-55.
- MEXICO, THE CONSTITUTIONALIST PARTY IN: WHAT IT IS FIGHTING FOR, **54**: 166-74.
- MEXICO, ERRORS WITH REFERENCE TO, AND EVENTS THAT HAVE OCCURRED THERE, **54**: 148-61.
- MEXICO, THE LABOR SITUATION IN, **21**: 77-93.
- MEXICO, THE SCOPE AND LIMITS OF OUR OBLIGATIONS TOWARD, **54**: 219-35.
- MEXICO AND HER PEOPLE, **54**: 186-90.
- MEXICO, ITS PEOPLE AND ITS PROBLEM, **54**: 201-10.
- MEXICO, THE REMEDY FOR, **54**: 211-18.
- MEXICAN SITUATION, THE, **54**: 162-5.
- MEXICAN SITUATION, THE POSTULATES OF THE, **54**: 136-47.
- MEXICO, NOTES ON OUR TARIFF RELATIONS WITH, **32**: 343-7.
- MEXICO, CONSTITUTION OF THE UNITED STATES OF, **2**: 1-47.
- MEXICO, THE DUTY OF THE UNITED STATES TOWARD, **54**: 175-82.
- MEXICO, THE POLICY OF THE UNITED STATES TOWARDS, **54**: 134-5.
- MEYER, B. H. State Supervision of Electric Railways in Wisconsin, **37**: 160-9; Foreign Railway Events in 1902-03, **23**: 121-40; Fraternal Insurance in the United States, **17**: 260-86; The Administration of Prussian Railroads, **10**: 389-423; Advisory Councils in Railway Administration, **19**: 74-88; Regulation and Nationalization of Swiss Railways, by Hans Dietler, Part I, **13**: 143-72; Part II, **13**: 291-322. Trans. by. See also **53**: 150.
- MEYER, EDGAR J. Industrial Stocks as Investments, **35**: 674-8.
- Michaelis, O., **4**: Sup. Mch., '94, 116.
- Michigan: **15**: 405-25; **23**: 341-3; **29**: Sup. Mch., '07, 2, 14, 17, 64-5; **41**: 183; **41**: Sup. M., '12, 10-11, 46, 60, 78; **43**: 149-67; **53**: 6, 21; **59**: 143; child labor, **25**: 472; **32**: Sup. Jy., '08, 134; competition, **43**: 104; constitutional admendments, **43**: 153; convict labor, **46**: 90; dependent children, **18**: 278-9; forests, **35**: 260-5; franchise, **53**: 144; initiative, **43**: 85, 104, 146, 158, 208, 210, 213; juvenile offenders, **23**: 472-6; liquor, **23**: 7-8, 387; prisoners, **46**: 20; referendum, **43**: 85, 104, 146-58; tax commission, **58**: 121, 126.
- MICHIGAN, CHILD LABOR COMMITTEE, **32**: Sup. Jy., '08, 134; **33**: Sup. Mch., '09, 182; **35**: Sup. Mch., '10, 174-5; **38**: Sup. Jy., '11, 170-1.
- MICHIGAN, CORRECTIONAL WORK IN, **23**: 472-6.
- MICHIGAN, MUNICIPAL PROBLEMS IN, **23**: 341-3.
- MICHIGAN, OUTDOOR WORK IN, **46**: 90-1.
- MICHIGAN, THE REFERENDUM AND INITIATIVE IN, **43**: 146-58.
- MICHIGAN, STATE FORESTS IN, **35**: 260-5.
- MIDDLE-EASTERN STATES, INFLUENCE OF WOMEN'S CLUBS IN NEW ENGLAND AND IN THE, **28**: 205-26.
- MIDDLE STATES, CHILD LABOR LEGISLATION AND ENFORCEMENT IN NEW ENGLAND AND THE, **25**: 480-90.
- Middle Ages, **4**: Sup. Mch., '94, 16.
- Middle West, **29**: 462-5.
- MIDDLE-WESTERN STATES, WOMEN'S CLUBS IN THE, **28**: 227.

- Middleman, **48**: 152; **50**: 20, 25-6, 37-8, 66, 68, 155, 223, 232, 256.
- Midvale Steel Company, **42**: 93, 96.
- MIDZUNO, KOKICHI. Commercial Relations Between the United States and Japan, **36**: Sup. Jy., '10, 21-4.
- MIKELL, WILLIAM E. Reform in Criminal Procedure, **52**: 102-7.
- MIKKELSEN, M. A. Electric Street Lighting in Chicago, **2**: 715-20.
- MILES, H. E. An Argument for a Permanent Expert Tariff Commission, **32**: 434-9; Tariff Making—Fact and Theory, **32**: 399-408.
- MILES, RUFUS E. The Budget and the Legislature, **62**: 36-46; The Cincinnati Bureau of Municipal Research, **41**: 262-9.
- Militarism, **13**: Sup. M., '99, 81, 85.
- MILITARISM AND DEMOCRACY, **13**: Sup. M., '99, 77-103.
- Milk, **37**: 345, 540; **50**: 91.
- MILK AND PUBLIC HEALTH, CLEAN, **37**: 436-50.
- Mill, James, **4**: Sup. Mch., '94, 44.
- Mill, John Stuart, **1**: Sup. Mch., '91, 98; **4**: Sup. Mch., '94, 47-50; **44**: Sup. N., '12, 2, 6, 13, 14, 21, 31, 47, 89.
- MILLARD, THOMAS F. Japanese Immigration into Korea, **34**: 403-9.
- MILL CHILDREN, THE EDUCATION OF, IN THE SOUTH, **32**: Sup. Jy., '08, 72-9.
- MILLER, CYRUS C. Municipal Markets in Their Relation to the Cost of Living, **48**: 140-8.
- MILLER, C. R. The Next Steps in Tariff Reform, **15**: Sup. M., '00, 189-99.
- MILLER, J. W. Advantages of the Nicaragua Route, The, **7**: 32-7.
- MILLER, KELLY. The Economic Handicap of the Negro in the North, **27**: 543-50; Professional and Skilled Occupations, **49**: 10-18.
- MILLER, LESLIE W. Work of the Pennsylvania Museum and School of Industrial Art, **33**: 105-10; River Front Embankments, **51**: 254-8.
- MILLER, MRS. WALTER McNAB. Report of Pure Food Committee of the General Federation of Women's Clubs, **28**: 296.
- MILLER, OLIVER C. The Semi-Civilized Tribes of the Philippine Islands, **18**: 43-63.
- MILLER, WALLACE E. The Child Labor Situation in Ohio and Border States, **29**: 71-6.
- Miller, Warner, **4**: Sup. S., '93, 137-8, 142, 145-6, 153.
- MILLS, A. L. The Northwest in the Recent Financial Crisis, **31**: 413-19.
- MILLIET, W. The Alcohol Question in Switzerland, **3**: 429-43.
- MILLIS, H. A. The Present Street Railway Situation in Chicago, **20**: 356-69.
- Mills, *see* Child labor.
- MILL OR THE FARM, The, **35**: Sup. Mch., '10, 52-7.
- MILLS, CONDITION OF LABOR IN SOUTHERN COTTON, **33**: 278-86.
- MILLS, PAY OF LABOR IN NEW ENGLAND COTTON, **33**: 301-6.
- MILTON, GEORGE F. Compulsory Education in the South, **32**: Sup. Jy., '08, 57-66.
- Milwaukee: **13**: 275; **24**: 407, 587; **41**: 270, 273; **57**: 148-9; charter, **13**: 275; civic organizations, **25**: 393-5, 628; education, **25**: 177-9; Efficiency and Economy, Bureau of, **41**: 8, 270; electric light service, **27**: 213; exchanges, **38**: 535, 545-70; gas, **27**: 213; **53**: 98; health, **41**: 273; infant mortality, **31**: 489; land, **58**: 154; liquor, **24**: 407; market, **50**: 132-3; meat, **28**: 333; park, **23**: 558-9; police administration, **24**: 587; schools, **33**: 78-84; street railways, **53**: 99; taxation, **28**: 164; trade schools, **33**: 78-84; water, **41**: 273; **53**: 99.
- MILWAUKEE BUREAU OF ECONOMY AND EFFICIENCY, The, **41**: 270-8.
- MILWAUKEE, EXCHANGES OF, **38**: 545-70.
- MILWAUKEE MUNICIPAL MARKET, The, **50**: 132-3.
- MILWAUKEE AND TOLEDO, THE EXCHANGES OF MINNEAPOLIS, DULUTH, KANSAS CITY, MO., OMAHA, BUFFALO, PHILADELPHIA, **38**: 545-70.
- MILWAUKEE SCHOOL OF TRADES, The, **33**: 78-84.
- MIMS, EDWIN. The University in the South, **22**: 261-5.
- MINER, MAUDE E. Probation Work for Women, **36**: 27-36.
- Minerals, **45**: 132-4, 139, 143-5, 147.
- Mineral resources, *see* Minerals, Resources.
- MINERAL RESOURCES OF CANADA, The, **45**: 131-50.
- MINERAL RESOURCES, OUR, **33**: 679-85.
- MINERAL RESOURCES, THE PRODUCTION AND WASTE OF, AND THEIR BEARING ON CONSERVATION, **33**: 686-98.
- Mines: **8**: 304; **12**: 208, 384; **14**: 100, 327-43; **35**: 697; **36**: 333-9; **45**: 151; anthracite, **36**: 368; child labor, **29**: 26; children, **29**: Sup. J., '07, 56; China, **39**: 153; convict labor, **46**: 80; Negro, **49**: 157; Pittsburgh, **33**: 316-25; Washington, **28**: 334. *See* Lock-outs, Strikes, Trade Unions, Unions.
- MINE LABORER, THE NEGRO, **33**: 338-52.
- MINE SAFETY, GOVERNMENT MEASURES TO INCREASE, **38**: 112-14.
- MINE WORKER, THE EFFECT OF UNIONISM UPON THE, **21**: 20-35.
- MINE WORKERS, THE SETTLEMENT OF DISPUTES AMONG THE, **36**: 333-9.
- MINERS' UNION, THE: ITS BUSINESS MANAGEMENT, **25**: 67-86.
- MINES, CHILD LABOR IN THE COAL, **27**: 293-9.
- MINES, CHILD LABOR IN THE SOFT COAL, **29**: 26-34.
- MINES OF THE PITTSBURGH DISTRICT, LABOR CONDITIONS IN THE, **33**: 316-25.
- MINING INVESTMENTS, THE WRONGS AND OPPORTUNITIES IN, **35**: 689-98.
- MINING LEGISLATION IN CANADA, **45**: 151-7.
- MINIMUM LIVING WAGE OF WOMEN WORKERS, **37**: Sup. M., '11, 9-15.
- Minimum wage: **21**: 49; **48**: 3-12, 18, 35, 38, 45-53; **56**: 122; **59**: 123, 198; Australia, **48**: 22-5, 29, 33-5; California, **56**: 132; Colorado, **48**: 49; **56**: 132; District of Columbia, **56**: 65; Great Britain, **48**: 22-4; Illinois, **48**: 49; immigration, **61**: 43; income, **48**: 53; Indiana, **48**: 49; Massachusetts, **48**: 13-21,

- 46, 48; 56: 102, 132; Minnesota, 48: 49; 56: 132; New York, 48: 49; New Zealand, 48: 13, 22; Ohio, 48: 49; 56: 182; Oregon, 48: 46-8; 56: 132; Pennsylvania, 48: 37-40, 48-9; Utah, 56: 132; Washington, 48: 49; Wisconsin, 56: 132; women, 48: 29, 49.
- MINIMUM WAGE ACT, THE PROPOSED PENNSYLVANIA, 48: 37-40.
- MINIMUM WAGE BOARDS, 34: Sup. Jy., '09, 33-4; 36: Sup. S., '10, 21-2; 38: Sup. S., '11, 51-2.
- MINIMUM WAGE IN GREAT BRITAIN AND AUSTRALIA, 48: 22-36.
- MINIMUM WAGE, IMMIGRATION AND THE, 48: 66-77.
- MINIMUM WAGE AS A LEGISLATIVE PROPOSAL IN THE UNITED STATES, THE, 48: 45-53.
- MINIMUM WAGE, MASSACHUSETTS AND THE, 48: 13-21.
- MINIMUM WAGE ACT, THE PROPOSED PENNSYLVANIA, 48: 37-40.
- MINIMUM WAGE AS PART OF A PROGRAM FOR SOCIAL REFORM, THE, 48: 3-12.
- Minneapolis, 16: 487-9; 17: 534-5; 20: 648-52; 22: 528-9; 27: 410-11; 57: 73-5; charter, 16: 489; 17: 534; civic organizations, 27: 410; elections, 15: 165; 18: 550; electric rates, 57: 75; exchanges, 38: 535-70; gas, 57: 74; infant mortality, 31: 490; municipal markets, 50: 237; paving, 29: 591; rates, 57: 75; street railways, 57: 74-5; work houses, 46: 103.
- MINNEAPOLIS, DULUTH, KANSAS CITY, MO., OMAHA, BUFFALO, PHILADELPHIA, MILWAUKEE AND TOLEDO, THE EXCHANGES OF, 38: 545-70.
- Minnesota: 4: Sup. S., '93, 13, 130; 5: 873; 9: 473; 15: 405-25; 27: 194; 29: Sup. Mch., '07, 56-7; 41: Sup. M., '12, 35; 50: 68, 207; banks, 36: 631; charter, 24: 378; child labor, 38: Sup. Jy., '11, 171-4; commission government, 38: 731; commission merchants, 48: 208; constitutional legislation, 13: 215; elections, 15: 165; 18: 550; 20: 450, 616-26; forests, 41: Sup. M., '12, 11; highways, 13: 228; home rule, 24: 398; 53: 95; liquor, 23: 383-4; minimum wage, 48: 49; 56: 132; police scandal, 20: 449-50; primary elections, 15: 165; 20: 616-26; prisoners, 46: 20, 150; probation, 20: 260; state regulation, 53: 95; tax commission, 58: 121, 126; Winona, Social Science Club, 11: 288; woman suffrage, 13: 215.
- MINNESOTA CHILD LABOR COMMITTEE, 33: Sup. Mch., '09, 182-5; 35: Sup. Mch., '10, 175-6; 38: Sup. Jy., '11, 171-4.
- MINNESOTA PRIMARY ELECTION SYSTEM, THE TEST OF THE, 20: 616-26.
- MINOR, JEANIE V. Child Labor. Proof-of-age Records, 35: Sup. Mch., '10, 127-9.
- Minorities, 4: 449; 52: 68.
- Misbranding, 48: 216; 50: 115, 122.
- Miscellaneous provisions, 29: Sup. Mch., '07, 14, 16, 60-1, 68-9.
- Misère de la philosophie*, 4: Sup. Mch., '94, 90.
- Mississippi, 1: Sup. F., '91, 3; 13: 212; 16: 93, 97; 29: Sup. Mch., '07, 20, 27-8, 45, 60, 66-8, 72; 38: 690; 41: Sup. M., '12, 34.
- MISSISSIPPI, EDUCATIONAL PROGRESS IN, 22: 304-9.
- MISSISSIPPI IMPROVEMENTS AND TRAFFIC PROSPECTS, 31: 146-63.
- Mississippi River, 4: Sup. S., '93, 8, 47, 57, 94-5, 106, 122-3.
- Mississippi Valley, benefited by Nicaragua Canal, 7: 40.
- MISSISSIPPI VALLEY, WATER POWER IN THE, 31: 164-77.
- Missions, 7: 374; 16: 332.
- Missouri: 10: 297; 15: 405-25; 29: Sup. Mch., '07, 56, 77; 35: Sup. Mch., '10, 176-7; 38: 839; 38: Sup. Jy., '11, 174; 43: 102; 46: 40, 43; 47: 48-9, 53; 53: 55; 59: 166; 62: 143; charters, 3: 748; 24: 396; 27: 155; child labor, 29: 145-52; 38: Sup. Jy., '11, 149-53; children, 32: Sup. Jy., '08, 134; commission government, 38: 733, 839-49; competition, 43: 102; convict labor, 46: 11; county government, 48: 61; courts, 47: 51-2; dependent children, 18: 278-9; depreciation, 53: 17; elections, 47: 61; employment, 59: 169; franchises, 17: 468-72; highways, 47: 59; home rule, 24: 396; 27: 155; initiative and referendum, 43: 85; licenses, 47: 52; legislation, 43: 102; penitentiary, 46: 40; poor relief, 47: 56; referendum, 43: 85; schools, 47: 58; single tax, 58: 224-5; trade, 32: Sup. Jy., '08, 134; valuations, 58: 115; women's clubs, 56: 84.
- MISSOURI CHILD LABOR COMMITTEE, 32: Sup. Jy., '08, 134.
- MISSOURI, THE FORWARD MOVEMENT IN CHILD LABOR REFORM IN, 38: Sup. Jy., '11, 149-53.
- MISSOURI, THE COMMISSION MOVEMENT IN, 38: 839-49.
- MISSOURI, COUNTY GOVERNMENT IN, 47: 48-61.
- MISSOURI, FRANCHISE LEGISLATION IN, 17: 468-71.
- MISSOURI, HOME RULE CHARTER MOVEMENTS IN, 27: 155-67.
- Missouri River, 4: Sup. S., '93, 123.
- MISSOURI RIVER, THE IMPROVEMENT OF THE, AND ITS USEFULNESS AS A TRAFFIC ROUTE, 31: 178-88.
- MITCHELL, JOHN. Burden of Industrial Accidents, 38: 76-82; Immigration and the American Laboring Classes, 34: 125-9; Local and State Regulation of Municipal Utilities, 57: 118-22, 186-7; The Wage-Earner and the Prison Worker, 46: 8-16.
- MITCHELL, THOMAS W. Development of Mr. Chamberlain's Fiscal Policy, 23: 105-20.
- Mitre, Emilio, 54: 61.
- Mobs, 43: 15, 24, 27.
- MOB INJURIES, INTERNATIONAL LIABILITY FOR, 2: 69-84.
- Mobile, 38: 684.
- MODERN INDUSTRY, RISKS IN, 38: Jy., '11.
- MOFFETT, S. E. The Railroad Commission of California—A Study in Irresponsible Government, 6: 469-77.
- v. Mohl, R., 1: Sup. Mch., '91, 91; 4: Sup. Mch., '94, 104, 113.
- MOHLER, CHARLES K. Public Utility Regulation by Los Angeles, 53: 108-18.
- MOLESWORTH, GULFORD L. Indian Currency, 4: 493-528.

- Monarchy, France, **6**: 59; German Emperor, **14**: 93.
- MONDELL, FRANK W. The Duty of the United States Toward Mexico, **54**: 175-82.
- Monetary Commission, **11**: 192-224; **37**: 3.
- system, **11**: 191. See Banking, Banks, Money.
- Money, **4**: 63, 336; **5**: 733; **6**: 124; **9**: 212-30; **11**: 191, 194-5, 204; **12**: 229-49; **16**: 195-7, 208; **37**: Sup. J., '11, 10-11, 17-18; **62**: 36. See Banking, Banks, Commerce, Credit, Currency, Exchanges, Finance, Interest, Investments, Prices, Wealth.
- MONETARY COMMISSION, THE FINAL REPORT OF THE, **13**: 31-56.
- MONETARY COMMISSION, THE PROBLEM BEFORE THE NATIONAL, **36**: 479-91.
- MONETARY LAW. THE FORMULATION OF GRESHAM'S LAW, **6**: 280-1.
- MONETARY REFORM, THE WAY TO ATTAIN AND MAINTAIN, IN LATIN-AMERICA, **37**: 618-27.
- MONETARY SYSTEM, PROPOSED REFORMS OF THE, **11**: 191-224.
- MONEY AND BANK CREDITS IN THE UNITED STATES, **5**: 531-56.
- MONEY. HOW TO SAVE BIMETALLISM, **5**: 557-68.
- MONEY. BULLION NOTES AND AN ELASTIC CURRENCY, **4**: 299-301.
- MONEY. THE CURRENCY LAW OF 1900, **16**: 33-55.
- MONEY, THE THEORY OF FINAL UTILITY IN ITS RELATION TO, AND THE STANDARD OF DEFERRED PAYMENTS, **3**: 483-501.
- MONEY, INDIAN CURRENCY, **4**: 493-528.
- MONEY, PENNSYLVANIA PAPER CURRENCY, **8**: 50-126.
- MONEY. QUANTITY THEORY, THE, **9**: 212-30.
- MONEY, USE OF SILVER AS, IN THE UNITED STATES, **4**: 91-149.
- MONEY. SILVER IN CHINA, **9**: 359-79.
- MONEY. SILVER FREE COINAGE AND THE LEGAL TENDER DECISIONS, **9**: 198-211.
- MONEY, THE LAW OF THE VALUE OF, **16**: 189-211.
- MONEY AS A MEASURE OF VALUE, **4**: 966-9.
- MONEY MARKET, THE PROBABLE CONDITION OF THE AMERICAN, AFTER THE WAR IS OVER, **60**: 130-7.
- MONEY MARKET, THE STOCK EXCHANGE AND THE, **36**: 563-73.
- MONEY STANDARD, THE MULTIPLE, **7**: 173-232.
- MONEY SUPPLY, AMERICAN BANKING AND THE, OF THE FUTURE, **3**: 559-72.
- Monmouth County, N. J., **50**: 211-14.
- MONMOUTH COUNTY FARMERS' EXCHANGE, THE, **50**: 211-15.
- Monopolies: **2**: 433-49; **3**: 427; **4**: 764-89; **14**: 310-26; **17**: 21; **32**: 92; **42**: 64-5, 67-8, 74, 100, 105, 152, 165, 172, 178, 185-6, 188, 190-2, 222-3, 228, 233-5, 257, 262-3, 265, 269, 277, 279, 284, 302, 313, 316, 318, 322, 325; **44**: Sup. N., '12, 38, 64; **48**: 164-88, 243; **53**: 100, 178, 187; **57**: 17, 96-7, 101; **59**: 152-3; **63**: 1-2, 32-3; competition, **53**: 145; England, **57**: 195; franchises, **14**: 310-26; Germany, **57**: 195; neutral, **57**: 96-7, 101; public utilities, **53**: 143; Sherman anti-trust law and, **32**: 41; wages, **32**: 86; Wisconsin, **53**: 101, 107.
- MONOPOLIES, FRANCHISES OR,—THEIR PUBLIC OWNERSHIP AND OPERATION, **14**: 310-26.
- MONOPOLY, THE BOGEY OF THE PATENT, **42**: 251-62.
- MONOPOLY, THE COST OF PRIVATE, TO PUBLIC AND WAGE-EARNER, **48**: 164-88.
- MONOPOLIES, RELATION OF TAXATION TO, **4**: 764-89.
- MONROE, ROBERT GRIER. The Gas, Electric Light, Water, and Street Railway Services in New York City, **27**: 111-19.
- Monroe Doctrine: **7**: 1-31; **11**: 364-6; **12**: 173; **14**: 291; **22**: 1-19; **26**: 9, 42; **37**: 602-8; **39**: 42, 56; **54**: 2-3, 16-17, 20-3, 25, 28, 30-1, 48, 50, 53, 57-9, 61-4, 66-7, 69, 71-5, 78, 83, 85, 90-8, 101, 104, 106-11, 113-19, 124-32, 162, 181, 202, 210, 220, 293; **60**: 162; **61**: 249, 264; Cuba, **11**: 364; Europe, **54**: 99-107; Haiti, **54**: 28-56; Latin America, **54**: 13, 57-62, 66-83; South America, **54**: 58, 63-5.
- MONROE DOCTRINE, THE, **54**: 131-3.
- MONROE DOCTRINE, THE, AND THE CANNING MYTH, **54**: 92-8.
- MONROE DOCTRINE, THE ATTITUDE OF EUROPE TOWARD THE, **54**: 99-106.
- MONROE DOCTRINE, WHAT EUROPEAN COUNTRIES THINK OF THE, **54**: 107-12.
- MONROE DOCTRINE AND THE FOREIGN POLICY OF THE UNITED STATES IN THE WESTERN HEMISPHERE, THE, **54**: 124-9.
- MONROE DOCTRINE, THE, AND ITS APPLICATION TO HAITI, **54**: 28-56.
- MONROE DOCTRINE, THE, AND LATIN AMERICA, **54**: 66-83.
- MONROE DOCTRINE, THE LATIN-AMERICAN VIEW OF THE, **54**: 57-62.
- MONROE DOCTRINE, THE MEANING OF THE, **54**: 113-18.
- MONROE DOCTRINE, THE NICARAGUA CANAL AND THE, **7**: 1-31.
- MONROE DOCTRINE MODERNIZED. A PAN-AMERICAN POLICY, **54**: 1-4.
- MONROE DOCTRINE AT THE FOURTH PAN-AMERICAN CONFERENCE, THE, **37**: 602-8.
- MONROE DOCTRINE, PRESENT STATUS OF, **54**: 20-7.
- MONROE DOCTRINE: A SOLUTION OF ITS PROBLEM, THE, **54**: 119-23.
- MONROE DOCTRINE, THE SOUTH AMERICAN VIEW AS TO THE, **54**: 63-5.
- MONROE DOCTRINE. THE POSITION OF THE UNITED STATES ON THE AMERICAN CONTINENT. Some phases of the Monroe Doctrine, **22**: 1-19.
- MONTAGUE, GILBERT H. "Coöperation" and the Anti-Trust Laws, **63**: 69-83; Business and Politics at Home and Abroad, **42**: 156-71; The Bogey of the "Patent Monopoly," **42**: 251-62; Should the Manufacturer have the Right to Fix Selling Prices, **63**: 55-66.
- Montana: **2**: 145; **16**: 244; **21**: 502; **22**: 378; **29**: Sup. Mech., '07, 60, 64, 72; **53**: 59, 61, 143, 225; commission government, **38**: 741; competition, **43**: 99; employment, **59**: 166; feeble-minded, **21**: 502; honor system, **46**: 86; initiative, **43**: 85; legislation, **43**: 99;



- referendum, **43**: 85; tax commission, **58**: 121, 126.
- de Montell, Alexis, work of, **4**: Sup. Mch., '94, 131.
- MONTGOMERY, HARRY EARL. Federal Control of Interstate Commerce, **26**: 642-55.
- Mont Palau, A., **1**: Sup. Mch., '91, 37.
- Montreal, **18**: 359-63; **19**: 497-8; **21**: 130-1, 487-9; **50**: 112, 139-52; **58**: 200.
- MOODY, JOHN. The Recovery from the Depression, **34**: 584-91; Preferred Stocks as Investments, **35**: 545-53.
- MOORE, DOROTHEA. Work of the Women's Clubs in California, **28**: 257-60.
- MOORE, FRANK. The Reform of the Individual, **46**: 61-5.
- MOORE, JOHN BASSETT. A Review of Our Foreign Policy in the Far East, **13**: Sup. M., '99, 163-7; The Application of the Principle of International Arbitration on the American Continents, **22**: 35-44; The Meaning of Neutrality, **60**: 145-6.
- MOORE, J. HAMPTON. The Delaware River, **31**: 67-72.
- MOORE, W. F. Liability Insurance, **26**: 499-519.
- MOORE, W. HARRISON. The New Australian Commonwealth, **21**: 183-208.
- MORAL PROGRESS, THE ECONOMIC CAUSES OF, **3**: 129-49.
- Morality, **3**: 130, 133; **29**: Sup. Mch., '07, 60, 86; **31**: 489; **34**: 33-42; **37**: 290; **44**: Sup. N., '12, 30, 61, 62.
- MORALITY, POPULAR RECREATION AND PUBLIC, **34**: 32-42.
- MORE, LOUISE B. The Cost of Living for a Wage-Earner's Family in New York City, **48**: 104-11.
- More, Thomas, **4**: Sup. Mch., '94, 68.
- MOREY, WILLIAM C. The Sources of American Federalism, **6**: 197-226; The First State Constitutions, **4**: 201-32; The Genesis of a Written Constitution, **1**: 529-57.
- MORGAN, GEORGE H. Merchants' Exchange of St. Louis, **38**: 540-4.
- MORGAN, J. H. The Child Labor Laws of the Ohio Valley, **29**: 61-70; Essentials in Factory Inspection, **32**: Sup. Jy., '08, 101-7.
- Morgan, J. Pierpont, **55**: 57.
- Morgan, John T., **4**: Sup. S., '93, 134, 146.
- MORGAN, WILLIAM OSGOOD. The Indeterminate Permit as a Satisfactory Franchise, **37**: 142-59.
- MORRIS, REV. STEPHEN P. Nebraska Child Labor Committee, **32**: Sup. Jy., '08, 134.
- MORRISON, HENRY C. Enforcement of Child Labor Laws in New Hampshire, **35**: Sup. Mch., '10, 103-10.
- MORSE, ANSON D. The Place of Party in the Political System, **2**: 300-8.
- MORSE, CHARLES H. Elementary Trade Teaching, **33**: 33-41.
- Morse, Charles W., **55**: 72.
- Mortality, **1**: Sup. Mch., '91, 31-3; **41**: 70; **49**: 53, 115; **59**: Sup. M., '15, 24-5. See Infant mortality.
- MORTALITY, INFANT, IN THE AMERICAN CITIES, **31**: 484-91.
- MORTALITY, THE WARFARE AGAINST INFANT, **37**: 532-42.
- Mortgages, **30**: Sup. S., '07, 54; **41**: Sup. M., '12, 42, 60, 70, 72; **58**: 95-6, 194.
- MORTGAGE BANKING IN RUSSIA, **5**: 242-56.
- MORTGAGES, A DECADE OF, **4**: 904-18.
- Moser, Justus, **1**: Sup. Mch., '91, 51.
- Moser, Lud., **1**: Sup. Mch., '91, 73.
- MOSES, BERNARD. Translated by. Constitution of the Republic of Colombia, **3**: Sup. J., '93; Constitution of the United States of Mexico, **2**: 1-47.
- MOSKOWITZ, HENRY. The Joint Board of Sanitary Control in the Cloak, Suit and Skirt Industry of New York City, **44**: 39-58.
- "MOST FAVORED NATION" CLAUSE, THE AMERICAN INTERPRETATION OF THE, **32**: 383-93. See also **39**: 49.
- Mothers, **25**: 200-2. See Women.
- Motion study, **61**: 214. See Scientific management.
- MOTION STUDY AS AN INCREASE OF NATIONAL WEALTH, **59**: 96-103.
- Motor boats, **50**: 135.
- trucks, **48**: 223; **50**: 20, 22, 24, 26, 28-33, 36, 62, 135; **51**: 171, 225.
- MOTOR TRUCK AS AN AGENCY IN DIRECT MARKETING, THE, **50**: 20-34.
- MOUTH HYGIENE AND ITS RELATION TO HEALTH, **37**: 472-86.
- MOXEY, EDWARD PRESTON. Bank Defalcations: Their Causes and Cures, **25**: 32-42.
- MOSQUITO CAMPAIGN, THE, AS A SANITARY MEASURE, **37**: 424-35.
- MUCHNIC, CHARLES M. What Can the United States and Latin America Do for Each Other, **61**: 71-80.
- MUDGETT, BRUCE D. Current Sources of Information in Produce Markets, **38**: 422-43; The Total Disability Provision in American Life Insurance Contracts, **59**: Sup. M., '15, 94.
- MUIRHEID, WALTER G. The Park System of Hudson County, New Jersey, **35**: 273-9.
- Müller, Adam, **4**: Sup. Mch., '94, 58-9, 62, 109.
- MÜLLER, LOUIS. Our Tariff and Its Relation to the Grain Trade, **29**: 528-36.
- MUMFORD, F. B. Education for Agriculture, **40**: 19-20.
- MUNDY, FLOYD W. Railroad Bonds as an Investment Security, **30**: 312-35.
- Munich, **27**: 42; **50**: 103, 160.
- Municipal accounting: **28**: 459; **41**: 64-8; Massachusetts, **22**: 378; Pittsburgh, **15**: 473.
- MUNICIPAL ACCOUNTING. THE APPLICATION TO A MUNICIPALITY OF MODERN METHODS OF ACCOUNTING AND REPORTING, **41**: 64-8.
- MUNICIPAL ACCOUNTING AND REPORTING, A NATIONAL FUND FOR PROMOTING EFFICIENT, **41**: 304-6.
- MUNICIPAL ACCOUNTING IN BOSTON AND LOUISVILLE, **28**: 453-9.
- MUNICIPAL ACTIVITIES, THE NEED FOR COORDINATING STATE, NATIONAL AND, **41**: 23-39.
- MUNICIPAL ACTIVITIES, WOMEN IN, **56**: 71-7.
- MUNICIPAL ADMINISTRATION, A PROPOSAL FOR A SCHOOL OF, AT THE UNIVERSITY OF TEXAS.<sup>1</sup>
- Municipal bonds, **41**: 71. See Bonds.

<sup>1</sup>See footnote, p. 27.



- MUNICIPAL BONDS. THE PHYSICAL CON-  
DITION OF A MUNICIPALITY ISSUING, 30:**  
384-8.
- MUNICIPAL BONDS, THE PROTECTION OF, 30:**  
396-9.
- Municipal budgets, **62:** 113, 140, 196-7,  
201, 204, 279-87. *See* Budgets.
- MUNICIPAL BUDGET, THE GERMAN, AND ITS  
RELATION TO THE GENERAL GOVERNMENT,  
62:** 192-203.
- MUNICIPAL BUDGET, TAXATION AND THE,  
62:** 113-24.
- MUNICIPAL BUDGETS IN THE UNITED STATES,  
SELECT LIST OF REFERENCES ON NATIONAL,  
STATE, COUNTY AND, 62:** 277-87.
- Municipal charities, *see* Charities.
- charters, *see* Charters.
- codes, **15:** 169; **17:** 148; **41:** 15, 204-12.
- control, **51:** 138, 188, 201; **53:** 86.
- MUNICIPAL CONTROL, THE POSSIBILITIES AND  
LIMITATIONS OF, 15:** Sup. M., '00, 7-20.
- Municipal corporations, *see* Corporations,  
Municipal Government.
- departments, **41:** 283.
- employment, *see* Employment.
- MUNICIPAL FRANCHISES, MUNICIPAL OWN-  
ERSHIP AND, 27:** J., '06.
- MUNICIPAL FUNCTIONS IN THE UNITED  
STATES, RECENT EXTENSIONS OF, 25:**  
299-310.
- Municipal government: **2:** 450-7; **5:** 629, 798,  
809, 990, 999; **6:** 165, 179, 330, 341, 551;  
**7:** 144, 349, 504; **8:** 191, 407, 573; **9:** 152,  
289, 465; **10:** 121, 288, 470; **11:** 113, 274,  
301-23, 274, 420; **12:** 144, 301, 436; **13:**  
123, 267, 407; **14:** 136, 262, 378; **15:** 118,  
287, 470; **16:** 148, 315, 482; **17:** 139, 147,  
347, 528-9; **18:** 347, 351, 354-6; **19:** 143,  
299, 485; **20:** 447, 637; **21:** 119, 316, 478;  
**22:** 375, 527; **23:** 170, 371, 555; **24:** 395,  
581; **25:** 157, 359, 615; **26:** 764; **27:** 200,  
400; **28:** 155, 317, 453; **29:** 184, 357, 559;  
**30:** 557; **31:** 470; **34:** 54-68; **38:** 877; **57:**  
175, 225; **61:** 199-207; **62:** 60-1; California,  
**17:** 536-7; Chicago, **17:** 291-8; Europe,  
**21:** 231-4; health, **1:** Sup. F., '91, 24; Iowa,  
**17:** 148-9; Madrid, **27:** 120-31; Nebraska,  
**18:** 558-9; Ontario, **19:** 306-7; Rhode  
Island, **17:** 472-4; San Francisco, **3:** 746;  
St. Louis, **3:** 743. *See* Cities, Local Gov-  
ernment, Municipal Corporations, Com-  
mission Government.
- MUNICIPAL GOVERNMENT, 9:** 117-62.
- MUNICIPAL GOVERNMENT, BERLIN, ADMINIS-  
TRATION OF, 4:** 953-64.
- MUNICIPAL GOVERNMENT. GERMAN STÄDTE-  
TAG, THE, 31:** 703-6.
- MUNICIPAL GOVERNMENT ADMINISTERED BY  
A GENERAL MANAGER—STAUNTON PLAN,  
38:** 877-83.
- MUNICIPAL GOVERNMENT, OUR FAILURES IN,  
3:** 691-702.
- MUNICIPAL GOVERNMENT. THE NATIONAL  
CONFERENCE FOR GOOD CITY GOVERN-  
MENT, HELD IN 1894, 4:** 850-6.
- MUNICIPAL GOVERNMENT, NOTES ON, 5:** 456,  
629, 798-813, 990-1000; **6:** 165-80, 330-42,  
551-6; **7:** 349-60, 504-11; **8:** 191-200,  
407-17, 573-86; **9:** 289-305, 465; **10:** 121-  
33, 288-99, 470-81; **11:** 113-23, 274-87,  
420-34; **12:** 144-56, 301-12, 436-49; **14:**  
136-47, 262-73, 378-87; **15:** 118-30, 287-96,  
470-84; **16:** 148-63, 315-27, 482-93; **17:**  
139-50, 347-58, 528-40.
- MUNICIPAL GOVERNMENT. THE POLITICAL  
ORGANIZATION OF A MODERN MUNICIPAL-  
ITY, OR LOCAL MUNICIPAL STATE, 2:**  
458-70.
- MUNICIPAL GOVERNMENT, THE PROBLEMS OF,  
4:** 857-82.
- MUNICIPAL GOVERNMENT. A MUNICIPAL  
PROGRAM, 17:** 431-43.
- MUNICIPAL GOVERNMENT. THE GOVERN-  
MENT OF A TYPICAL PRUSSIAN CITY, HALLE  
a. S., 15:** 313-54.
- MUNICIPAL GOVERNMENT, PUBLIC HEALTH  
AND, 1:** Sup. F., '91.
- MUNICIPAL GOVERNMENT, DEVELOPMENT OF  
STANDARDS IN, 61:** 199-207.
- MUNICIPAL GOVERNMENT, THE STUDY OF THE  
SCIENCE OF, 2:** 450-7.
- Municipal home rule, *see* Home rule.
- improvements, **21:** 254-6; **51:** 65.
- MUNICIPAL IMPROVEMENTS, AMERICAN SO-  
CIETY OF, OMAHA, BUFFALO, LONDON, 6:**  
557-61.
- MUNICIPAL IMPROVEMENT IN UNITED STATES,  
THE ACTIVITIES OF CIVIC ORGANIZATIONS  
FOR, 25:** 359-99.
- Municipal Investigations and Statistics, Bu-  
reau of, **41:** 44.
- MUNICIPAL LABOR, THE PROBLEM OF SECUR-  
ING EFFICIENCY IN, 41:** 103-14.
- Municipal law, **4:** 738-9, *see* Law, Municipal  
corporations.
- leagues: **13:** 269; **14:** 272; **22:** 375-6; **25:**  
388-9; Los Angeles, **53:** 108; Philadelphia,  
**2:** 573-6; **6:** 3-54; **19:** 490; Providence, **8:**  
576. *See* Good Government League, Na-  
tional Municipal League.
- MUNICIPAL LEAGUE OF PHILADELPHIA, THE,  
2:** 573.
- Municipal legislation, **7:** 506; **9:** 303, 473;  
**16:** 157; **20:** 370-85.
- MUNICIPAL LEGISLATION, POLITICAL AND, IN  
1895, 23:** 322-39; in 1897, **11:** 174-90; in  
1899, **15:** 160-70; in 1900, **17:** 244-59; in  
1901, **20:** 370-85; in 1902, **21:** 261-79;  
in 1903, **23:** 322-39. *See* Political legislation.
- Municipal lighting, *see* Lighting, Gas, Elec-  
tric lighting.
- markets: **48:** 140-53, 215; **50:** 103-  
5, 107, 110, 113-16, 118, 135, 139, 141,  
144, 145-6, 148-9, 151, 227, 237, 249;  
Baltimore, **50:** 112, 115-16; Cincinnati, **51:**  
16, 139-51; Columbus, **50:** 139-52; Mem-  
phis, **50:** 130; San Antonio, **50:** 139-52;  
Seattle, **50:** 139-52. *See* Markets.
- MUNICIPAL MARKETS, 50:** 102-17.
- MUNICIPAL MARKETS IN CLEVELAND, 50:**  
128-30.
- MUNICIPAL MARKETS IN THEIR RELATION  
TO THE COST OF LIVING, 48:** 140-8.
- MUNICIPAL MARKET, THE MILWAUKEE, 50:**  
132-3.
- MUNICIPAL MARKETS IN PHILADELPHIA, 50:**  
134-6.
- MUNICIPAL MOVEMENTS, NATIONALIZATION  
OF, 21:** 252-60.
- MUNICIPAL NOMINATION REFORM, 25:** 203-17.
- MUNICIPAL ORGANIZATION, PRINCIPLES OF,  
23:** 195-222.

- Municipal ownership:** 27: 1-19; 37: 145; 53: 71, 75-7, 82-4, 103, 105, 251; 57: 6, 10, 15-18, 26, 34, 52, 62-4, 70, 73, 130, 161, 174, 188, 192-208, 216-17, 224, 226-7, 229, 231, 241, 254-73, 288-99; Buffalo, 12: 447; California, 53: 76; Chicago, 19: 487-8; 27: 72-90; Cleveland, 23: 172-3; Duluth, 57: 78-9; Europe, 57: 194; foreign, 57: 194-208; gas, 57: 203-4; Germany, 27: 37; Great Britain, 57: 195-7, 241, 290; New York, 57: 262; Pennsylvania, 22: 379; San Francisco, 57: 261; state regulation, 53: 71; street railways, 14: 262; water, 14: 384; 57: 279; Wisconsin, 53: 105; Wyoming, 21: 324. *See* Public ownership.
- MUNICIPAL OWNERSHIP,** 57: 188-93.
- MUNICIPAL OWNERSHIP, WHY I BELIEVE IN,** 57: 282-92.
- MUNICIPAL OWNERSHIP, CHICAGO NEW CHARTER MOVEMENT—ITS RELATION TO,** 31: 639-48.
- MUNICIPAL OWNERSHIP, THE MOVEMENT FOR, IN CHICAGO,** 27: 72-90.
- MUNICIPAL OWNERSHIP—THE TESTIMONY OF FOREIGN EXPERIENCE,** 57: 194-208.
- MUNICIPAL OWNERSHIP AND MUNICIPAL FRANCHISES,** 27: J., '06.
- MUNICIPAL OWNERSHIP AND OPERATION, GLASGOW'S EXPERIENCE WITH,** 27: 1-19.
- MUNICIPAL OWNERSHIP AS A FORM OF GOVERNMENTAL CONTROL,** 28: 359-70.
- MUNICIPAL OWNERSHIP, SOME LIMITATIONS AND OBJECTIONS TO,** 57: 254-73.
- MUNICIPAL OWNERSHIP MOVEMENT, EFFECTS OF STATE REGULATION UPON THE,** 53: 71-84.
- MUNICIPAL OWNERSHIP AND OPERATION OF STREET RAILWAYS IN GERMANY,** 27: 37-65.
- MUNICIPAL OWNERSHIP AND OPERATION OF WATER-WORKS,** 57: 279-81.
- Municipal parties, see** Political parties.
- paving, *see* Paving.
- pensions, *see* Pensions.
- MUNICIPAL PROBLEMS,** 23: Mch., '04, 28: N., '06.
- MUNICIPAL PROBLEMS IN MICHIGAN,** 23: 341-3.
- MUNICIPAL PROGRAM, A,** 17: 431-43.
- MUNICIPAL PROGRESS, 1904-1905,** 27: 191-9.
- MUNICIPAL PUBLIC SERVICE CORPORATIONS, CONTROL OF,** 31: M. '08.
- Municipal reform,** 47: 3; Chicago, 6: 565; New Orleans, 7: 153; New York, 6: 170, 333, 532; Philadelphia, 6: 565; San Francisco, 6: 555.
- research: 41: 239; bureaus of, 41: 11, 235, 245, 255, 262-70, 281, 300, 304, 307; 62: 65-6.
- MUNICIPAL RESEARCH, THE CINCINNATI BUREAU OF,** 41: 262-9.
- MUNICIPAL RESEARCH, THE NEW YORK BUREAU OF,** 41: 235-44.
- Municipal revenues,** 41: 86, 117; 62: 114, 118-23.
- MUNICIPAL UTILITIES, PUBLIC POLICIES AS TO,** Vol. 57.
- Municipalities, League of American,** 14: 378; 19: 143; 20: 645; 25: 367-9.
- MUNICIPALITY, MODERN, POLITICAL ORGANIZATION OF A,** 2: 458-70.
- Munitions,** 60: 151, 183, 192, 194. *See* Arms, Belligerents.
- MUNITIONS OF WAR, THE SALE OF, BY NEUTRALS TO BELLIGERENTS,** 60: 183-91.
- MUNRO, DANA G.** American Commercial Interests in Manchuria, 39: 154-68.
- MUNRO, W. BENNETT.** The Neutralization of the Suez Canal, 17: 409-30.
- MURPHY, JOHN J.** What Properties Should be Exempt from Taxation, 58: 189-93; Franchise Grants in New York City, 31: 612-18; Some Effects of Housing Regulation, 51: 99-103.
- MURPHY, JOSEPH A.** Health Problems of the Indians, 37: 347-53.
- MURRAY, NAT C.** The Crop Reporting System, 38: 409-21.
- MUSÉE, SOCIAL IN PARIS, THE,** 7: 58-63.
- Music,** 35: 386. *See* Parks, Recreation.
- MUSIC AND REFRESHMENTS IN PARKS,** 35: 386-92.
- "MUTUAL GOVERNMENT," THE, OR "JOINT COMMISSION" PLAN OF PREVENTING INDUSTRIAL CONFLICTS,** 27: 531-42.
- MYERS, WILLIAM J.** Conditions in Stove Manufacturing, 34: 457-62.
- NABUCO, JOAQUIM.** The Pan-American Conferences and Their Significance, 27: Sup. M., '06.
- NAGEL, CHARLES.** Prevention of Industrial Accidents, 38: 71-3.
- Napoleon,** 1: Sup. Mch., '91, 44; 4: Sup. Mch., '94, 72.
- NASH, WILLIAM A.** Clearing-House Certificates and the Need for a Central Bank, 31: 361-6.
- NATHAN, MRS. FREDERICK.** Woman Suffrage Aid to Social Reform, 35: Sup. M., '10, 33-5.
- NATHAN, MAUD.** Women Who Work and Women Who Spend, 27: 646-50.
- NATION, THE, SHOULD SUPERINTEND ALL CARRIERS,** 32: 218-24.
- NATION AND THE STATE IN CHILD LABOR REGULATION, THE,** 38: Sup. Jy., '11, 154-5.
- NATION, CORPORATION REGULATION BY STATE AND,** 32: 235-9.
- NATION AND THE RAILWAYS, THE,** 32: 125-37.
- NATION, VITALIZING THE, AND CONSERVING HUMAN UNITS THROUGH THE DEVELOPMENT OF AGRICULTURAL COMMUNITIES,** 63: 278-86.
- NATIONAL ACTIVITIES, THE NEED FOR COORDINATING MUNICIPAL, STATE AND,** 41: 23-42.
- National Association of Comptrollers and Accounting Officers,** 41: 71.
- — — Credit Men, definition of commercial paper, 59: 229-30.
- banks, *see* Banking, Banks.
- Board of Fire Underwriters, 51: 106.
- budgets, *see* Budgets.
- NATIONAL, STATE, COUNTY AND MUNICIPAL BUDGETS IN THE UNITED STATES, SELECT LIST OF REFERENCES ON,** 63: 277-87.
- Business League, 49: 134.
- Cash Register Company, 48: 169.
- Child Labor Committee, 29: 179-81; 32: Sup. Jy., '08, 149-75; 33: Sup. Mch.,

- '09, 199-244; **35**: Sup. Mch., '10, 155-9, 195-238.
- NATIONAL CHILD LABOR COMMITTEE, PROCEEDINGS OF THE ANNUAL MEETINGS OF THE, **25**: 565-85; **27**: 371-99; **32**: Sup. Jy., '08, 155-75; **33**: Sup. Mch., '09, 207-44; **35**: Sup. Mch., '10, 207-38; **38**: Sup. Jy., '11, 208-24.
- NATIONAL CHILDREN'S BUREAU, ESTABLISHMENT OF A, **34**: 48-53.
- National Civic Federation, **38**: 139; **44**: 16, 17.
- NATIONAL CIVIC FEDERATION, RESULTS ACCOMPLISHED BY THE INDUSTRIAL DEPARTMENT, **20**: 37-42.
- NATIONAL CIVIC FEDERATION AND INDUSTRIAL PEACE, THE, **44**: 10-17.
- Consumers' League, **29**: 178-9; **34**: Sup. Jy., '09, 5-45, 47-50, 53-60, 63-83; **36**: Sup. S., '10, 7-29, 35-8, 46, 52-3, 56-75; **38**: Sup. S., '11, 7-12, 18-38, 43-9, 53-77.
- NATIONAL CONSUMERS' LEAGUE, THE CONSUMER'S CONTROL OF PRODUCTION: THE WORK OF THE, **34**: Sup. Jy., '09.
- NATIONAL CONSUMERS' LEAGUE, THE WORK OF THE, **36**: Sup. S., '10.
- NATIONAL CONSUMERS' LEAGUE, WORK OF, **38**: Sup. S., '11.
- National Electric Light Association, **53**: 285.
- NATIONAL ELECTRIC LIGHT ASSOCIATION, INDUSTRIAL PEACE ACTIVITIES OF THE, **44**: 86-96.
- Monetary Commission, **37**: Sup. J., '11, 3; **45**: 168.
- NATIONAL MONETARY COMMISSION, THE PROBLEM BEFORE THE, **36**: 479-91.
- National Municipal League Conference, **6**: 166; **8**: 188-90; **10**: 121; **13**: 267; **15**: 122; **17**: 147; **20**: 452-3; **21**: 252-4; **22**: 375; **25**: 362-4; **41**: 32, 71.
- NATIONAL MUNICIPAL REFORM LEAGUE, **5**: 636.
- NATIONAL PARKS AND RESERVATIONS, OUR, **35**: 231-40.
- NATIONAL PENSION SYSTEM AS APPLIED TO THE CIVIL WAR AND THE WAR WITH SPAIN, **19**: 204-26.
- NATIONAL PLAYGROUND, THE SOUTHERN APPALACHIAN PARK RESERVE AS A, **35**: 401-8.
- National Tax Association, **58**: 138-9, 130.
- Training School, **41**: 307, 309.
- Tube Company, **42**: 14, 44, 52.
- NATIONAL WEALTH, MOTION STUDY AS AN INCREASE OF, **59**: 96-103.
- NATIONAL WELFARE, COMPETITION AS A SAFEGUARD TO, **42**: 74-82.
- NATIONAL WELFARE, CONTRIBUTION OF INDUSTRIAL COMBINATIONS TO, **42**: 134-9.
- NATIONAL WELFARE, UNREGULATED COMPETITION IS DESTRUCTIVE OF, **42**: 108-18.
- Natural resources, *see* Resources.
- NATURAL RESOURCES, CONSERVATION OF, **33**: M., '09.
- NATURE, THE LAW OF, **1**: 558-85.
- Naturalization, **45**: 95; **52**: 166-7, 176. *See* Aliens, Citizenship, Immigrants.
- NATURALIZATION AND CITIZENSHIP IN THE INSULAR POSSESSIONS OF THE UNITED STATES, **30**: 104-14.
- NAVAL CONFLICTS, THE IMPORTANT ELEMENTS IN, **26**: 123-36.
- Navigation, **4**: Sup. S., '93, 9, 13, 38, 72, 99-100, 108; **32**: 383; **55**: 18-23; **59**: 260-1; **61**: 79.
- Navy, international, **61**: 244.
- NAVY, THE NEEDS OF THE, **26**: 163-9.
- NAVY OF THE UNITED STATES, EXTENT TO WHICH THE SHOULD BE INCREASED, **26**: 139-45.
- NEAL, GEORGE I. Results of Commission Government in Huntington, West Virginia, **38**: 925-8.
- NEAME, L. E. Oriental Labor in South Africa, **34**: 395-402.
- NEARING, SCOTT. The Adequacy of American Wages, **59**: 111-24; The Recent Increase in Land Values, **58**: 149-57; Wages in the United States, **48**: 41-4.
- Nebraska: charities, **19**: 309; child labor, **32**: Sup. Jy., '08, 134-5; **33**: Sup. Mch., '09, 186-7; **35**: Sup. Mch., '10, 177-8; **38**: Sup. Jy., '11, 174; commission government, **38**: 738; constitution, **15**: 426; 433-7; corrupt practices, **15**: 167; direct legislation, **15**: 162; elections, **15**: 165; Farmers' Congress, **15**: 405-25; **18**: 558; **19**: 309; **29**: Sup. Mch., '07, 19, 58, 65; **42**: 214; **43**: 86; **50**: 207; **53**: 57, 62, 185; initiative and referendum in, **43**: 86.
- NEFF, JOSEPH S. Efficiency in Child Saving, **41**: 69-70.
- Negroes: **7**: 166, 361, 516; **10**: 143, 300; **11**: 1-23; **18**: 163; **21**: 336; **33**: 111-18, 373; **35**: 172-83; **40**: 90; **42**: 222; **49**: 1-180, 187, 189-93, 195, 199, 202, 205, 219, 233-7; **54**: 16; **61**: 196; agriculture, **33**: 368; **40**: 90-9; **49**: 36, 54; Alabama, **49**: 5; **61**: 191; Argentina, **54**: 11; Arkansas, **49**: 52, 55; ballots, **49**: 100; Baltimore, **49**: 24-81; banks, **49**: 158; Baptist Church, **49**: 61; budgets, **49**: 151, 157, 162; churches, **49**: 14, 25, 50, 65, 71, 86, 120-8; convicts, **21**: 326; **46**: 6, 13, 24; **49**: 134; courts, **49**: 168; crime, **9**: 46, 62; **49**: 74-80; domestic service, **49**: 20; education, **9**: 314; **15**: 491; **22**: 320; **49**: 52-3, 55, 117, 136, 166, 186, 209-32; emigration, **49**: 81-92; employment, **49**: 10-18; farmers, **49**: 55; **57**: 655; farms, **40**: 38; franchises, **15**: 493; **49**: 55; Georgia, **49**: 74; Germany, **24**: 532-6; health, **37**: 354; **49**: 138-46; housing, **49**: 53, 73; illiteracy, **49**: 22, 51, 177-85, 223; immigration, **35**: 45; **49**: 32-7; industrial efficiency, **33**: 111; industry, **35**: 140; insurance, **49**: 137; Kentucky, **49**: 6; labor, **21**: 55-76; **27**: 579; **33**: 391; **35**: 146; **49**: 19-27, 225; **61**: 193-4; labor unions, **49**: 36, 155; land, **49**: 28-9, 58, 64, 153, 167; lawyers, **49**: 17; libraries, **49**: 225; literature, **49**: 233-7; lynching, **15**: 493; Maryland, **49**: 6; Methodist church, **49**: 61; mines, **33**: 338; **49**: 157; ministry, **49**: 51; morality, **37**: 312; **49**: 115; New England, **49**: 8; New Orleans, **49**: 24-81; New York, **27**: 590-6; **49**: 41, 81; north, **27**: 543, 559, 579; **49**: 3, 8, 24, 106, 179; North Central States, **49**: 8; occupations, **49**: 13, 47, 113, 147, 201; organizations, **49**: 129-37; Philadelphia, **45**: 82-4; **49**: 24-5, 81; population, **49**: 1-9; prisoners, **49**: 75; railroads, **49**: 36; rural communities, **40**: 81-9; schools, **49**: 27, 61, 186, 191, 221; settlement work, **21**: 336; slavery, **11**: 2; social service, **49**: 169; south, **18**: 121-40; **35**: 124; **49**: 35;

- South America, **22**: 30; suffrage, **49**: 55, 97; taxes, **49**: 30; teachers, **49**: 15; tenant system, **49**: 55; Tennessee, **49**: 6; trades, **49**: 155; trials, **49**: 78; tuberculosis, **49**: 53, 139; Virginia, **49**: 5, 149; wages, **49**: 22; West Indies, **18**: 141-78; women, **49**: 33; Young Men's Christian Association, **49**: 131, 170. *See* Schools, Lynching.
- NEGRO, THE, AND AGRICULTURAL DEVELOPMENT, **35**: 8-15.
- NEGRO CHILDREN IN THE PUBLIC SCHOOLS OF PHILADELPHIA, **49**: 186-208.
- NEGRO. CHURCHES AND RELIGIOUS CONDITIONS, **49**: 120-8.
- NEGRO CHURCH, SOCIAL WORK AND INFLUENCE OF THE, **30**: 509-21.
- NEGROES, CONDITIONS AMONG, IN THE CITIES, **49**: 105-19.
- NEGRO CITIZENSHIP, PROBLEMS OF, **49**: 93-104.
- NEGRO COMMUNITY, THE RURAL, **40**: 81-9.
- NEGRO CRIMINALITY IN THE SOUTH, **49**: 74-80.
- NEGRO EDUCATION IN THE SOUTH, **22**: 320-9.
- NEGROES, HEALTH PROBLEMS OF THE, **37**: 354-64.
- NEGRO, THE. FIFTY YEARS OF NEGRO PUBLIC HEALTH, **49**: 138-46.
- NEGRO, BEREAN SCHOOL OF PHILADELPHIA AND THE INDUSTRIAL EFFICIENCY OF THE, **33**: 111-18.
- NEGROES, HIGHER EDUCATION OF, IN THE UNITED STATES, **49**: 209-18.
- NEGRO, THE. FIFTY YEARS OF FREEDOM. CONDITIONS IN THE SEA COAST REGIONS, **49**: 58-66.
- NEGRO. HOME LIFE AND STANDARDS OF LIVING, **49**: 147-63.
- NEGRO ILLITERACY IN THE UNITED STATES, **49**: 177-85.
- NEGRO, THE, AND THE IMMIGRANT IN THE TWO AMERICAS, **49**: 32-7.
- NEGRO. INDUSTRIAL EDUCATION, **33**: 1-12.
- NEGRO, THE. INDUSTRIAL EDUCATION AND THE PUBLIC SCHOOLS, **49**: 219-32.
- NEGRO LABOR AND THE BOLL WEEVIL, **33**: 391-8.
- NEGRO LABOR, THE EVOLUTION OF, **21**: 55-76.
- NEGRO, TRAINING OF THE, LABORER IN THE NORTH, **27**: 579-89.
- NEGRO, THE, IN LITERATURE AND ART, **49**: 233-7.
- NEGROES, MIGRATION OF, TO THE NORTH, **27**: 559-78.
- NEGRO MINE LABORER, THE, **33**: 338-52.
- NEGRO. INDUSTRIAL CONDITION OF THE, IN NEW YORK CITY, **27**: 590-6.
- NEGRO IN THE NORTH, THE ECONOMIC CONDITION OF THE, **27**: 543-50.
- NEGRO. BETTERMENT OF THE NEGRO IN PHILADELPHIA, THE MOVEMENT FOR THE, **49**: 81-92.
- NEGRO ORGANIZATIONS, **49**: 129-37.
- NEGRO, THE MOVEMENT FOR THE BETTERMENT OF THE, IN PHILADELPHIA, **49**: 81-92.
- NEGRO POPULATION IN THE UNITED STATES, **49**: 1-9.
- NEGRO PROBLEMS, THE STUDY OF THE, **11**: 1-23.
- NEGRO PROBLEM, PLANTATION SYSTEM, AND SOUTHERN AGRICULTURE, **40**: 90-9.
- NEGROES, PROFESSIONAL AND SKILLED OCCUPATIONS OF THE, **49**: 10-18.
- NEGRO'S PROGRESS, THE, IN FIFTY YEARS, Vol. **49**.
- NEGROES. THE RACE PROBLEM AT THE SOUTH, **18**: 95-101.
- NEGRO, THE. WORK OF THE COMMISSION OF SOUTHERN UNIVERSITIES ON THE RACE QUESTION, **49**: 47-57.
- NEGRO'S PART IN SOUTHERN DEVELOPMENT, THE, **35**: 124-33.
- NEGRO, THE. THE TENANT SYSTEM AND SOME CHANGES SINCE EMANCIPATION, **49**: 38-46.
- NEGRO IN THE TRADES UNIONS IN NEW YORK, THE, **27**: 551-8.
- NEGRO, THE, IN UNSKILLED LABOR, **49**: 19-27.
- NEGROES, THE RELATION OF THE WHITES TO THE, **18**: 105-20.
- NEGROES, THE RELATION OF THE, TO THE WHITES IN THE SOUTH, **18**: 121-40.
- NEGRO, THE WHITE MAN'S DEBT TO THE, **49**: 67-73.
- NEHY, HARLEY W. Are Foodstuffs Contraband of War? **56**: 161-71.
- NEILL, CHARLES P. Child Labor at the National Capital, **27**: 270-80; Conditions of Progress in Employers' Liability Legislation, **38**: 169-74; The Scope and Limits of the Injunction, **36**: 87-8.
- NELSON, ERNESTO. Argentine Commerce with the United States and Europe, **22**: 171-6.
- NELSON, KNUTE. A Summary of our Most Important Land Laws, **33**: 611-19.
- NERINX, A. Compulsory Voting in Belgium, **18**: 275-8; The National Company of Light Railways in Belgium, **19**: 108-13.
- Netherlands, **4**: Sup. Mch., '94, 17. *See* Holland.
- Neumann, Casper, **1**: Sup. Mch., '91, 30, 31, 221, 224.
- Neutral nations, **60**: 171-2, 220-1, 232-3. *See* Belligerents.
- NEUTRAL COUNTRIES, THE RIGHT OF CITIZENS OF, TO SELL AND EXPORT ARMS AND MUNITIONS OF WAR TO BELLIGERENTS, **60**: 168-82.
- NEUTRAL OBLIGATIONS AND RIGHTS OF AMERICAN REPUBLICS, **60**: 155-67.
- NEUTRALS, THE SALE OF MUNITIONS OF WAR BY, TO BELLIGERENTS, **60**: 183-91.
- Neutrality, **17**: 409-30; **54**: 128; **60**: 37, 126, 134-5, 145-6, 148, 150, 155-7, 183, 186-9, 213-16; **61**: 225, 232, 240. *See* Belligerents, Neutral countries.
- NEUTRALITY RULES, THE, ADOPTED BY BRAZIL, **60**: 147-54.
- NEUTRALITY, THE MEANING OF, **60**: 145-6.
- NEUTRALITY, UNARMED, **60**: 213-21.
- Nevada: commissioners, **53**: 6, 21; corrupt practice, **15**: 167; honor system, **46**: 86; initiative and referendum, **43**: 85, 86, 98, 161; representation, **16**: 244; suffrage, **11**: 175; tax commission, **58**: 121; valuations, **58**: 115.
- New England: **4**: 790-8; **6**: 254-67; **12**: 229-49; **29**: Sup. Mch., '07, 2, 5, 9, 12, 34, 36, 43, 44, 47, 52, 53, 56, 77-82; **47**: 15, 21, 26-38, 92; budgets, **47**: 34; child labor,



- 25: 480-90; 27: 263; 32: Sup. Jy., '08, 31; 33: Sup. Mch., '09, 73-8; coöperation, 4: 798-805; coroner, 47: 35; Negroes, 49: 8; representation, 6: 254; rural counties, 47: 15; women's clubs, 28: 205.
- NEW ENGLAND AND THE MIDDLE STATES, CHILD LABOR LEGISLATION AND ENFORCEMENT IN, 25: 480-90.
- NEW ENGLAND COTTON MILLS, PAY OF LABOR IN, 33: 301-6.
- NEW ENGLAND, COUNTY GOVERNMENT IN, 47: 26-38.
- NEW ENGLAND'S LOST LEADERSHIP, 35: Sup. Mch., '10, 150-1.
- NEW ENGLAND LEGISLATURES, REPRESENTATION IN, 6: 254-67.
- NEW ENGLAND, INFLUENCE OF WOMEN'S CLUBS IN, AND IN THE MIDDLE-EASTERN STATES, 28: 205-26.
- New Hampshire: 12: 242; 15: 204-35; 17: 253; 29: Sup. Mch., '07, 5, 43, 62, 68, 78-80; 46: 116, 117; 47: 21, 27-9; 53: 11, 55-6, 143; paupers, 46: 115-21; prison labor, 46: 115-21; Public Service Commission, 53: 185, 228; tax commission, 58: 121, 127; valuations, 58: 115; work houses, 46: 115.
- NEW HAMPSHIRE, ENFORCEMENT OF CHILD LABOR LAWS IN, 35: Sup. Mch., '10, 103-10.
- NEW HAMPSHIRE'S EXPERIMENT IN USING PRISON LABOR TO SUPPORT PAUPERS, 46: 115-21.
- New Jersey, 1: 554; 1: Sup. Feb., '91, 3; 7: 172; 14: 276; 15: 204-35; 17: 160-3, 245; 19: 495-6; 20: 260; 21: 333, 495; 22: 529-30, 535; 23: 183-6; 25: 199-200, 522; 29: Sup. Mch., '07, 17, 28, 31, 77; 33: 440-7; 35: Sup. Mch., '10, 178; 37: 432; 38: 218-24, 773-80; 41: 225; 46: 64, 154-60; 47: 3, 37, 81, 84, 101, 108, 221, 255-8, 275; 50: 78, 81, 90-2; 52: 7, 151, 162; 53: 13, 17, 58, 76, 94, 143, 194, 235.
- NEW JERSEY, CHILD LABOR IN, 20: 191-9.
- NEW JERSEY, THE OPERATION OF THE NEW CHILD LABOR LAW IN, 25: 522-41.
- NEW JERSEY, THE COMMISSION STATUTE OF, 38: 773-7.
- NEW JERSEY, COMMISSION STATUTE OF, ADOPTIONS AND REJECTIONS UNDER THE, 38: 778-80.
- NEW JERSEY, THE MOVEMENT FOR COUNTY REORGANIZATION IN, 47: 255-7.
- NEW JERSEY EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION LAW, 38: 218-24.
- NEW JERSEY EMPLOYERS' LIABILITY ACT, 38: 225-9.
- NEW JERSEY CITIES, A PROPOSED MUNICIPAL ADMINISTRATIVE CODE FOR, 41: 204-12.
- NEW JERSEY, PARK SYSTEM OF ESSEX COUNTY, 35: 266-72.
- NEW JERSEY, THE PARK SYSTEM OF HUDSON COUNTY, 35: 273-9.
- NEW JERSEY, RESTRICTIVE LEGISLATION AGAINST PUBLIC SERVICE CORPORATIONS IN, 31: 659-70.
- NEW JERSEY DEPARTMENT OF WEIGHTS AND MEASURES, EFFECT OF THE, ON THE COST OF LIVING, 50: 86-93.
- New Mexico: 16: 244; 43: 86, 104; 53: 21, 58; commission government, 38: 743; com-
- petition, 43: 105; convict labor, 46: 58, 86; referendum, 43: 86, 104; women's clubs, 56: 83.
- New Orleans, 2: 75, 83; 14: 493; 7: 144, 153; 9: 157; 14: 147; 15: 126, 290-1, 474; 16: 487-8; 17: 142, 352; 18: 352; 19: 493-4; 25: 176-7, 390-3, 624-7; 27: 211, 408-10; 28: 159, 329; 29: 373; 30: 580; 38: 682; 49: 24, 81; 50: 139-52; 56: 84; 59: 254-5.
- NEW ORLEANS, PUBLIC SERVICE CORPORATIONS OF, 31: 630-8.
- NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN, NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI; STREET RAILWAYS IN THE UNITED STATES, 7: 144-61.
- New South Wales, 22: 386; 37: 210. See Australia.
- York: 1: 553; 3: 540, 738; 4: Sup. S., '93, 8, 56, 67-8, 78; 5: 192, 269, 457, 800, 892; 6: 567-79; 7: 349, 351, 352, 504, 506, 514; 8: 45, 193, 205, 236, 574; 9: 152, 289, 306, 465, 468, 479; 10: 122, 143, 162, 289, 470-1, 487; 11: 115, 274, 296, 421; 12: 144-6, 301, 303; 13: 123-270, 407; 14: 14, 136-7, 150, 268-9, 383; 15: 88, 175, 196, 204-35, 287-8, 470-2, 492; 16: 148; 17: 160-3, 247, 249, 364; 18: 435; 19: 516; 20: 447-8, 454, 484-6; 21: 336; 23: 430; 25: 196; 27: 111-19; 29: Sup. Mch., '07, 17, 18, 28, 35, 37, 46, 52, 73; 30: 536; 31: 535; 32: 513; 36: 39, 69, 397-406, 445, 567; 37: 170, 412, 652; 41: 18, 43, 48, 53, 76, 84, 94-5, 104, 193, 237; 43: 317; 46: 12, 38; 47: 4, 5, 22, 93-4, 101, 104, 108, 203, 205, 258-63, 273-5; 48: 54-61, 63; 50: 86, 99; 51: 14-15, 100, 102, 156, 175; 52: 69, 84, 135, 172; 53: 2, 9, 49, 66, 76-8, 142; 57: 37, 118, 121, 186, 262, 269; 59: 228-9; 62: 34-5, 68, 120-2, 127, 177-84, 249-50, 261; 63: 135; almshouse, 23: 479-81; banks, 10: 468; 36: 58; baths, 8: 205; 9: 465; budget, 62: 180; charities, 5: 821; 17: 372-6; 19: 516; 20: 454; 23: 477-8, 570; 24: 414; 25: 189, 196-9; 27: 416; 41: 180; child labor, 25: 484; 29: 142-5; 32: Sup. Jy., '08, 135-8; 33: Sup. Mch., '09, 187-9; 35: Sup. Mch., '10, 144, 179-81; 38: Sup. Jy., '11, 174-6; civil service, 7: 506; 10: 291; 11: 113; 14: 268; 15: 167; 16: 315; congestion, 41: 186-7; constitution, 1: 553; 4: 885-903; 62: 64-8; Consumers' League, 11: 435; 29: 168; crime, 36: 169; elections, 11: 381-3, 420; 12: 146; 13: 123, 217, 219, 348; 14: 385; 18: 351-2; electricity, 27: 111, 200; 41: 94; employers liability, 38: 162; employment, 8: 424; exchanges, 38: 524-39; 48: 250-1; feeble-minded, 23: 186; finance, 12: 144, 302; 16: 148; 21: 478-9; 31: 364; 41: 53, 76; forestry, 33: 501; 35: 248-51; franchisees, 14: 136; 15: 471; gas, 27: 112, 200; 41: 94; highways, 13: 228; home rule, 57: 186; housing, 1: Sup. F., '91, 8; 10: 488; 12: 161; 16: 164; 23: 298; 37: 268; indeterminate franchisees, 53: 142; insurance, 24: 478; 38: 24; juvenile court, 36: 57; labor, 15: 492; 36: 397-460; 44: 105; land, 58: 153; liquor, 7: 514; 10: 154; 11: 293; loan associations, 9: 479; meat, 28: 326; minimum wage, 48: 49; municipal reform, 6: 170, 333, 532; Negroes, 49: 24, 81;



- parks, 8: 408; 22: 396-7; 51: 175; political parties, 8: 40; prisons, 21: 336; 23: 392; Public Service Commission, 31: 649-58; 53: 54-65, 124, 225; 57: 121; railroad commission, 11: 421; railways, 11: 421; revenue, 62: 14; sanitation, 23: 311; schools, 7: 505; 49: 191; street railways, 6: 55; 7: 144-5; 20: 456; 27: 111, 119; 29: 278; sweat shops, 28: 274; taxes, 21: 479-81; 30: Sup. S., '07, 62, 107; 41: 53; 51: 36, 38; 58: 9-10, 89, 94, 115, 121, 127, 145-6, 153, 183, 62: 120-1; telephones, 23: 477-82; 41: 177; 53: 67; tenements, 17: 160-3, 364-6; 20: 637-8; 22: 394-6; transit, 31: 552-75; tramps, 10: 153; wages, 48: 70; water, 21: 478-9; 27: 111; 41: 16, 78, 82, 94; women, 58: 44; Women's Christian Temperance Union, 32: 518; workmen's compensation, 38: 83. *See* New York City.
- NEW YORK CANALS, THE, 31: 117-27.
- NEW YORK CENTRAL LINES, THE APPRENTICE SYSTEM ON THE, 33: 163-74.
- NEW YORK, SUPERVISION OF CHARITIES IN, 23: 477-82.
- NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN, 26: 774.
- NEW YORK SOCIETY, THE, FOR THE PREVENTION OF CRUELTY TO CHILDREN, 31: 492-4.
- NEW YORK CONSTITUTION, THE BUDGETARY PROVISIONS OF THE, 62: 64-8.
- NEW YORK, IMPROVEMENT OF COUNTRY ROADS IN MASSACHUSETTS AND, 5: 269-71.
- NEW YORK STATE, COUNTY GOVERNMENT IN, 47: 258-70.
- NEW YORK, FOREST POLICY OF TYPICAL STATES, 35: 248-51.
- NEW YORK, THE GRAND JURY OF THE COUNTY OF, 52: 37-55.
- NEW YORK, STATE AGENCIES FOR DEALING WITH LABOR DISPUTES, THE EXPERIENCE OF NEW YORK, 36: 397-406.
- NEW YORK, LAUNDRY AND PUBLIC COMFORT STATIONS IN, 8: 205.
- NEW YORK LEGISLATION UPON WORKMEN'S COMPENSATION, RECENT, 38: 230-7.
- NEW YORK, LIQUOR LEGISLATION IN, 7: 514-15.
- NEW YORK, THE NEGRO IN THE TRADES UNIONS IN, 27: 551-8.
- NEW YORK, PHILADELPHIA, CHICAGO, SAN FRANCISCO, CINCINNATI; DEVELOPMENT OF STREET RAILWAY SYSTEM, 6: 551-6.
- NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN; STREET RAILWAYS IN THE UNITED STATES, 7: 144-61.
- NEW YORK PRIMARY ELECTION LAW, THE, 11: 381-3.
- NEW YORK PRODUCE EXCHANGE, THE, 38: 524-39.
- NEW YORK, THE FRUITS OF PUBLIC REGULATION IN, 37: 170-90.
- NEW YORK, THE PUBLIC SERVICE COMMISSIONS OF THE STATE OF, 31: 649-58.
- NEW YORK, PUBLIC UTILITIES REGULATION IN, 31: 535-51.
- New York City: 1: Sup. F., '91, 3; 3: 738-9; 4: 857, 859-61; 5: 803; 6: 169-70, 192, 333, 349, 552; 7: 145, 351-2, 505; 8: 191-3, 205, 407-9, 424, 574-6; 9: 152, 289, 306, 465-8; 11: 115, 124, 274, 421, 435; 13: 10, 123-4, 270-1, 407, 409, 411-12; 16: 148, 150-1; 17: 141, 164-7, 436, 529-31, 556; 18: 375-8; 21: 389; 24: 602; 25: 374-82, 615-16; 27: 191; 29: 189, 357, 559; 37: Sup. M., '11, 18; 41: 57, 71-2, 78, 86, 93, 99, 103-4, 115, 138, 191, 204, 235, 247, 263, 281, 289, 304, 307; 44: 39-40; 48: 105; 50: 2, 68, 97, 99, 101, 203, 247-50; 51: 118-20, 122-3; 58: 185, 187; 60: 108-9; 61: 13-16, 25-7, 202-4; 62: 179; Board of Control, 44: 39-58; Board of Health, 23: 312; budget, 62: 177-9, 180-2, 188, 227, 249-50; Bureau of Municipal Research, 41: 11, 235, 304; 62: 65-6; Bureau of Street Cleaning, 41: 114; Bureau of Supplies, 41: 84; charities, 9: 306; 11: 291; 17: 164-7, 556; 23: 393-5; 25: 189-92; charter, 9: 152, 289, 466; 10: 20-32, 120, 121, 292; 14: 136; 16: 150; civil service, 5: 806; 13: 407; congestion, 23: 317; education, 24: 602; 25: 159-61; electricity, 27: 111; 41: 78; emigration, 21: 404-6; employment, 61: 13; expenditures, 41: 64, 140; 62: 249; franchises, 31: 612; gas, 21: 111-19; 41: 78; housing, 5: 817; 7: 352, 512; 8: 409; 10: 487; 12: 161; 15: 138; 16: 164; 17: 160; 20: 637-8; 23: 170-1; 51: 10, 118, 122-3; infant mortality, 31: 485; lighting, 41: 78; lodging houses, 10: 160; newsboys, 35: Sup. Mch., '10, 138; prices, 48: 205; probation, 36: 27-36; public service, 57: 118; railways, 27: 111; rates, 41: 72; sanitation, 23: 311-21; schools, 5: 192; 6: 192; 7: 505; 12: 146; 15: 196; 25: 292; 41: 158, 196; 51: 211; streets, 11: 276; 13: 271; 41: 114; street railways, 6: 551; 13: 271, 412; 27: 111; taxes, 13: 270; 22: 380-1; 58: 183-8; telephones, 53: 66-70; tenements, 10: 487; 51: 118, 120, 122, 123; unemployment, 5: 823; vagrancy, 19: 512-13; water, 23: 314; 27: 111; 41: 78, 82; 51: 175; women, 17: 556; 52: 181. *See* New York.
- NEW YORK CITY METHOD, THE—THE PREPARATION OF ESTIMATES AND THE FORMULATION OF THE BUDGET, 62: 249-63.
- NEW YORK BUREAU OF MUNICIPAL RESEARCH, THE, 41: 235-44.
- NEW YORK, REDUCTION OF TAX ON BUILDINGS IN THE CITY OF, 58: 183-8.
- NEW YORK CHARTER, THE GREATER, 10: 20-32.
- NEW YORK CITY, COST OF LIVING FOR A WAGE-EARNER'S FAMILY IN, 48: 104-11.
- NEW YORK CITY, EMPLOYMENT BUREAU FOR THE PEOPLE OF, 33: 225-38.
- NEW YORK CITY, FRANCHISE GRANTS IN, 31: 612-18.
- NEW YORK CITY, THE GAS, ELECTRIC LIGHT, WATER AND STREET RAILWAY SERVICES IN, 27: 111-31.
- NEW YORK CITY, THE INDUSTRIAL CONDITION OF THE NEGRO IN, 27: 590-6.
- NEW YORK, PUBLIC UTILITIES REGULATION IN, 31: 535-51.
- NEW YORK CITY, LOWER TELEPHONE RATES FOR, 53: 66-70.
- NEW YORK CITY, THE ECONOMIC NECESSITY FOR THE PENNSYLVANIA RAILROAD TUNNEL EXTENSION INTO, 29: 245-59.

- NEW YORK CITY, JOINT BOARD OF SANITARY CONTROL IN THE CLOAK, SUIT AND SKIRT INDUSTRY OF, **44**: 39-58.
- NEW YORK CITY'S SANITARY PROBLEMS, AND THEIR SOLUTION, **23**: 311-21.
- NEW YORK CITY, REDUCTION OF TAX ON BUILDINGS IN, **58**: 183-8.
- NEW YORK CITY, DEVELOPMENT OF TRANSIT CONTROL IN, **31**: 552-75.
- NEW YORK CITY, THE WOMEN'S COURT IN, **52**: 181-7.
- New York Central Railroad, **33**: 163-74.
- New York, New Haven and Hartford Railroad Company, **57**: 48; **63**: 135, 199-205, 276-7.
- Zealand, **36**: 303; **48**: 22; **52**: 107; **56**: 94, 148-9; **58**: 225.
- NEW ZEALAND, PRESENT STATE OF LABOR LEGISLATION IN AUSTRALIA AND, **33**: 440-7.
- NEW ZEALAND, SETTLEMENT AND PREVENTION OF INDUSTRIAL DISPUTES IN, **36**: 438-44.
- Newark: charities, **25**: 192-3; electricity and gas, **27**: 217.
- NEWCOMB, H. T. The Concentration of Railway Control, **19**: 89-107; Reasonable Railway Rates, **5**: 335-60.
- NEWELL, FREDERICK H. What May be Accomplished by Reclamation, **33**: 658-63.
- NEWLANDS, FRANCIS G. The Use and Development of American Waterways, **31**: 48-66; Review and Criticism of Anti-Trust Legislation, **42**: 289-95; A Western View of the Race Question, **34**: 269-71.
- NEWMAN, BERNARD J. Congestion and Rents, **51**: 59-67.
- Newmarch, W., **4**: Sup. Mch., '94, 44, 127, 128.
- NEWMAYER, S. W. The Warfare Against Infant Mortality, **37**: 532-42.
- Newspapers, **11**: 282; **25**: 441, 443, 446, 448, 457-8, 537; **32**: Sup. Jy., '08, 113-7; **35**: Sup. Mch., '10, 138-9; **40**: 161; **44**: 13; **56**: 138. See Press.
- NEWSPAPER, THE AMERICAN: A STUDY IN SOCIAL PSYCHOLOGY, **16**: 56-92.
- NEYLAN, JOHN FRANCIS. California's State Budget, **62**: 69-72.
- Niagara Falls, **9**: 156; **57**: 246.
- NIBECKER, F. H. Education of Juvenile Delinquents, **23**: 483-92; Fallacies in the Treatment of Offenders, **36**: 43-6.
- Nicaragua: **4**: Sup. S., '93, 135, 138, 139, 141; **7**: 1-3, 21; **54**: 86, 89, 101; Canal, **4**: Sup. S., '93, 11, 102, 133-46, 148, 153-5; **7**: 38-48; **19**: 5.
- Nicaragua Canal and Clayton-Bulwer Treaty, **14**: 285-309.
- NICARAGUA CANAL AND THE ECONOMIC DEVELOPMENT OF THE UNITED STATES, **7**: 38-48.
- NICARAGUA CANAL AND THE MONROE DOCTRINE, **7**: 1-31.
- NICARAGUA ROUTE, ADVANTAGES OF THE, **7**: 32-7.
- NICHOLAS, FRANCIS C. The Wrongs and Opportunities in Mining Investments, **35**: 689-98.
- NICHOLLS, T. D. The Anthracite Board of Conciliation, **36**: 366-72.
- NICHOLS, FREDERIC C. The Operation of the Mutual Savings Bank System in the United States, and the Treatment of Savings Deposits, **36**: 640-53.
- NICHOLS, J. C. Housing and the Real Estate Problem, **51**: 132-9.
- NICHOLS, WALTER S. An Argument Against Liability, **38**: 159-65.
- NICHOLSON, S. E. The Local Option Movement, **32**: 471-5.
- Night courts, see Courts.
- work, **34**: Sup. Jy., '09, 22-3; **35**: Sup. Mch., '10, 10; **36**: Sup. S., '10, 20.
- NIGHT WORK IN MASSACHUSETTS, THE EIGHT HOUR DAY AND PROHIBITION OF, **35**: Sup. Mch., '10, 239-74.
- DE NOAILLES, DUC. How to Save Bimetallism, **5**: 557-68.
- NOLEN, JOHN. City Planning and Distribution Costs, **50**: 240-6; The Parks and Recreation Facilities in the United States, **35**: 217-28; Town-Planning Library, **51**: 259-64.
- Nominations, **2**: 755; **7**: 417; **14**: 18-37; **22**: 379-80; **29**: Sup. Mch., '07, 28.
- NOMINATION REFORM, MUNICIPAL, **25**: 203-17.
- Norfolk, **50**: 139-52.
- NORFOLK-BEAUFORT WATERWAYS, ENGINEERING FEATURES OF CHESAPEAKE AND DELAWARE, AND, **31**: 73-80.
- NORTH, CHARLES E. Sanitation in Rural Communities, **37**: 371-93.
- NORTH, S. N. D. The Tariff and the Export Trade of the United States, **23**: 1-11.
- NORTH, THE TRAINING OF THE NEGRO LABORER IN THE, **27**: 579-89.
- NORTH, THE MIGRATION OF NEGROES TO THE, **27**: 559-78.
- NORTH, THE ECONOMIC CONDITION OF THE NEGRO IN THE, **27**: 543-50.
- North Carolina: **1**: Sup. F., '91, 3; **16**: 93; **22**: 293-303, 541; **29**: Sup. Mch., '07, 4, 31, 67, 73; **41**: Sup. M., '12, 12; child labor, **27**: 261; **29**: 163-4; **32**: Sup. Jy., '08, 139-40; **38**: Sup. Jy., '11, 114-17; commission government in, **38**: 690; elections, **15**: 166; schools, **22**: 293-303; suffrage, **15**: 164; tax commission, **58**: 121.
- NORTH CAROLINA CHILD LABOR COMMITTEE, **32**: Sup. Jy., '08, 139; **35**: Sup. Mch., '10, 181; **38**: Sup. Jy., '11, 176-7.
- NORTH CAROLINA, CURRENT PROBLEMS IN, **22**: 293-303.
- NORTH CENTRAL STATES, REPRESENTATION IN THE LEGISLATURES OF THE, **15**: 405-25.
- North Dakota: **2**: 145; **16**: 244; **29**: Sup. Mch., '07, 58, 62; **32**: 513; **43**: 86; **47**: 207; **50**: 207; commission government, **38**: 735; initiative and referendum in, **43**: 86; probation, **32**: 598; rates, **53**: 61; suffrage, **11**: 176; tax commission, **58**: 121, 127; temperance, **32**: 513, 522; valuations, **58**: 115.
- NORTH DAKOTA CHILD LABOR COMMITTEE, **33**: Sup. Mch., '09, 189-90.
- NORTHERN SECURITIES CASE, THE, **24**: 123-50.
- NORTHWEST, THE, IN THE RECENT FINANCIAL CRISES, **31**: 413-19.
- NORTON, ELIOT. The Diffusion of Immigration, **24**: 159-65; The Purchase or Sale of Securities Through a Stockbroker, **35**: 506-24.

- NORTON, J. PEASE. A Constructive Peace Policy for America, **54**: 270-6; Prolonging Life and Developing Personal Powers, **59**: 29-39.
- NORTON, L. A. Stocks of Financial Institutions, **35**: 679-88.
- NORTON, WILLIAM J. Effects of the Indeterminate Franchise Under State Regulation, **53**: 135-47.
- Norway, **1**: Sup. Mch., '91, 66.
- NORWEGIAN COMPANY SYSTEM FOR THE CONTROL OF THE LIQUOR TRAFFIC, **5**: 1009-11.
- Nova Scotia, **45**: 160.
- NOYES, ALEXANDER D. Effect of the Anti-Trust Law on General Business, **42**: 246-50.
- NOYES, WILLIAM. Overwork, Idleness or Industrial Education, **27**: 342-53.
- Nurses, **19**: 313, 515; **22**: 399.
- NUTRITION, OVER-, AND ITS SOCIAL CONSEQUENCES, **10**: 33-53.
- Oaths, **29**: Sup. Mch., '07, 60, 67.
- Oats, **59**: 8-10.
- OBERHOLTZER, E. P. Home Rule for Our American Cities, **3**: 736-63; Law Making by Popular Vote, **2**: 324-44; Courses in Politics and Journalism at Lille, **8**: 342-9.
- OBERHOLTZER, SARA L. School Savings Banks, **3**: 14-29; **4**: 972-4.
- Obrecht, G., **1**: Sup. Mch., '91, 25.
- Occupations, **29**: Sup. J., '07, 25; **49**: 13, 20, 107, 113, 147.
- OCCUPATIONS, PROFESSIONAL AND SKILLED, **49**: 10-18.
- Ocean transportation, **55**: 80, 232-6; **61**: 33.
- OCEAN AND INLAND WATER TRANSPORTATION, REGULATION OF, BY THE FEDERAL GOVERNMENT, **55**: 17-47.
- OCEAN RATES, AGREEMENTS AND CONFERENCES IN THEIR RELATION TO, **55**: 194-204.
- OCEAN TRANSPORTATION, EXTENT OF REGULATION OF INLAND WATER AND, BY THE FEDERAL GOVERNMENT, **55**: 17-47.
- OCEAN TRANSPORTATION PROBLEM, RELATION OF THE CONTRACTOR OR SPECULATOR TO THE WORLD'S, **55**: 232-6.
- OCHS, GEORGE W. Journalism, **28**: 38-57.
- O'CONNELL, JAMES. The Manhood Tribute to the Modern Machine: Influences Determining the Length of the Trade Life amongst Machinists, **27**: 491-5.
- ODUM, HOWARD W. Negro Children in the Public Schools of Philadelphia, **49**: 186-208.
- ODEN, ROBERT C. The Conference for Education in the South, **22**: 271-9.
- OFFENDERS, FALLACIES IN THE TREATMENT OF, **36**: 43-6.
- OFFENDERS, REFORMATION OF WOMEN-, MODERN METHODS OF DEALING WITH, **36**: 37-42.
- OFFENDER, THE TREATMENT OF THE, **36**: 20-6.
- OFFICIALS, ELECTED OR APPOINTED, **5**: 653-83.
- Ohio: **4**: Sup. S., '93, 46, 47, 125, 149; **5**: 662; **9**: 472; **13**: 217, 225; **15**: 128, 169, 289, 405-25; **21**: 125-8, 276-8; **29**: Sup. Mch., '07, 19, 46, 73; **32**: 513; **43**: 191; **46**: 97-8; **47**: 113, 182, 185, 188, 191, 197, 203; **53**: 14, 18, 54, 55, 58, 62; **57**: 190; **62**: 61-2, 91-2, 94-5, 97-8; ballot, **8**: 196; bank, **3**: 535; budget, **62**: 91-100; charities, **17**: 546; **21**: 495; child labor, **25**: 472; **27**: 259-69, 357; **29**: 67, 71-6; **32**: Sup. Jy., '08, 104, 140-1; **33**: Sup. Mch., '09, 79-85, 190-1; **35**: Sup. Mch., '10, 182-3; **38**: Sup. Jy., '11, 177-8; city government, **15**: 128, 289; competition, **43**: 92, 193, 198, 201; constitution, **43**: 191-202; convict labor, **50**: 35; corporations, **14**: 157; corrupt practices, **8**: 198; **9**: 472; **11**: 428; crime, **52**: 84; elections, **13**: 346; employment in, **59**: 166, 168; franchise tax, **14**: 157; initiative and referendum, **43**: 191-202; liquor, **23**: 186-7; **32**: 542; local option, **32**: 476-80; minimum wage, **48**: 49; **56**: 132; prisons, **46**: 97; probation, **32**: 595; roads, **50**: 35; Shakers, **19**: 499-500; taxation, **47**: 182-98; temperance, **32**: 513, 525-7; tax commissions, **58**: 100, 101, 121, 128; valuations, **58**: 115; wages, **48**: 49.
- OHIO, THE CHILD LABOR SITUATION IN, AND BORDER STATES, **29**: 71-6.
- OHIO CHILD LABOR COMMITTEE, **32**: Sup. Jy., '08, 140.
- OHIO CONSTITUTION, THE INITIATIVE AND REFERENDUM AMENDMENTS IN THE PROPOSED, **43**: 191-202.
- OHIO, EXPERIMENTAL ROAD WORK IN, **46**: 97-8.
- OHIO. LOCAL OPTION AND ITS RESULTS IN, AND GEORGIA, **32**: 476-81.
- OHIO RIVER, THE IMPROVEMENT OF THE, **31**: 139-45.
- OHIO, STATE BUDGET MAKING IN, **62**: 91-100.
- OHIO, ADMINISTRATION OF LOCAL TAXATION IN, **47**: 182-98.
- OHIO, TAXATION OF QUASI-PUBLIC CORPORATIONS IN THE STATE OF, AND THE FRANCHISE TAX, **14**: 157-80.
- OHIO VALLEY, THE CHILD LABOR LAWS OF THE, **29**: 61-70.
- OHIO VALLEY STATES, CHILD LABOR IN THE, **33**: Sup. Mch., '09, 79-85.
- Oil, **8**: 305.
- OKADA, TAKEKUMA. Origin and Growth of Taxation in Japan, **3**: 82-8.
- Oklahoma: **16**: 244; **29**: Sup. Mch., '07, 2, 16, 82; **43**: 99, 161; **53**: 58; commission government, **38**: 739; competition, **43**: 100; cotton, **50**: 253; employment, **59**: 168-9; initiative and referendum, **43**: 99, 101, 161; markets, **50**: 113; referendum, **43**: 101.
- OLDEN, P. P. The Exclusion of Asiatic Immigrants in Australia, **34**: 410-23; Industrial Arbitration in Australia, **37**: 203-21.
- Oligarchy, **29**: Sup. Mch., '07, 70, 86, 89.
- OLMSTED, ALLEN S., 2d. Do "Cost of Transportation" Exhibits in Railroad Rate Cases Show Cost, **63**: 214-21.
- OLMSTED, FREDERICK LAW. The Town-Planning Movement in America, **51**: 172-81.
- Omaha: **5**: 632, 633; **6**: 557; **8**: 577; **10**: 295; **11**: 429; **12**: 448; **14**: 384; **15**: 292; **16**: 157; **17**: 536; charter, **10**: 295; elections, **7**: 1156; exchange, **38**: 535, 545-70; finance, **11**: 429; **16**: 157; lighting, **15**: 293; police, **6**: 558;

- 12: 448; schools, 15: 292; street railways, 7: 144; taxation, 6: 175; 16: 157; water works, 14: 384.
- OMAHA, BUFFALO, PHILADELPHIA, MILWAUKEE AND TOLEDO, THE EXCHANGES OF MINNEAPOLIS, DULUTH, KANSAS CITY, Mo., 38: 545-70.
- OMAHA, BUFFALO, LONDON, AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS, 6: 557-61.
- OMAHA, LONDON, BERLIN, NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON; STREET RAILWAYS IN THE UNITED STATES, 7: 144-61.
- Ontario, 19: 306-7, 517; 52: 191, 193, 195, 197-8; 57: 246-53.
- Open door policy, 26: 62; 39: 165-6; 54: 250.
- OPEN DOOR, THE, 39: 56-61.
- Opium, 21: 145; 39: 25.
- Orange, N. J., 20: 450-1.
- Free State, 15: 1-40; 16: Sup. Jy., '00, 62, 65.
- Oregon: 16: 244; 18: 561; 23: 180; 29: Sup. Mch., '07, 7, 21, 28, 40, 51, 56; 34: 306-10; 41: Sup. M., '12, 10, 13, 35; 43: 5-7, 13, 39, 70-1, 74, 84-5, 91-7, 160, 264-5; 58: 115, 222-7; 59: 166; charities, 23: 180-1; 24: 413; child labor, 29: 166; 38: Sup. Jy., '11, 178-80; competition, 43: 97; convict labor, 46: 50, 86, 105, 107; county government, 47: 271; depreciation, 53: 18; direct legislation, 15: 162; employment, 59: 166; honor system, 46: 105-8; initiative and referendum, 43: 84, 85, 91, 94-7, 160; judicial recall, 43: 263-5, 308; labor, 44: 104; minimum wage, 48: 46-81, railroad commission, 53: 9; senate, 43: 71; sheriff, 47: 271; single tax, 58: 224-7; taxation, 47: 22, 271-2; woman suffrage, 11: 176; 56: 83, 93, 132, 148.
- OREGON CASE, TEXT OF THE DECISION OF THE UNITED STATES SUPREME COURT IN THE, 34: Sup. Jy., '09, 46-50.
- OREGON HAS NOT HAD AN ORIENTAL PROBLEM, WHY, 34: 306-10.
- OREGON, STATE AND COUNTY GOVERNMENT IN, AND PROPOSED CHANGES, 47: 271-3.
- OREGON, ONE YEAR OF HONOR SYSTEM IN, 46: 105-8.
- Organizations, 21: 259-60; 27: 181.
- ORGANIZATIONS, NEGRO, 49: 129-37.
- ORGANIZATIONS, WOMAN'S PLACE IN INDUSTRY AND LABOR, 24: 343-53.
- ORGANIZATIONS, WOMAN'S WORK AND, 27: S., '06.
- Organized labor, *see* Labor.
- ORGANIZED LABOR, SOME PROBLEMS OF, 24: S., '04.
- Orient, 36: Sup. Jy., '10, 18; 39: 42.
- ORIENT, ECONOMIC QUESTIONS IN THE ENGLISH AND DUTCH COLONIES IN THE, 21: 135-51.
- ORIENT. WASTE IN EXTERNAL TRADE IN GENERAL AND WITH THE ORIENT IN PARTICULAR, 32: 348-62.
- ORIENTAL, ANTI-, MOVEMENT, THE SUPPORT OF THE, 34: 231-8.
- ORIENTAL VS. AMERICAN LABOR, 34: 247-56.
- ORIENTAL IMMIGRATION, MISUNDERSTANDING OF EASTERN AND WESTERN STATES REGARDING, 34: 257-61.
- ORIENTAL IMMIGRATION, MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING, 34: 300-5.
- ORIENTAL IMMIGRATION, OPPOSITION TO, 34: 239-46.
- ORIENTAL IMMIGRATION INTO THE PHILIPPINES, 34: 388-94.
- ORIENTAL IMMIGRATION, THE PROBLEM OF, IN THE STATE OF WASHINGTON, 34: 329-37.
- ORIENTAL LABOR IN SOUTH AFRICA, 34: 395-402.
- ORIENTAL PROBLEM, WHY OREGON HAS NOT HAD AN, 34: 306-10.
- ORIGINAL PACKAGE CASE, 1: 192-202, 662-71.
- ORIGINS, THE MEANING OF TOTEMISM—AN ESSAY UPON SOCIAL, 23: 518-28.
- OSBORNE, JOHN BALL. Commercial Relations of the United States with Canada, 32: 330-42; Reciprocity in the American Tariff System, 23: 55-83.
- Ottawa, 44: 4.
- Otto, Everard, 1: Sup. Mch., '91, 22.
- Out-door relief, 14: 275, 914; 16: 167; 19: 514.
- OUTDOOR WORK IN MICHIGAN, 46: 90-1.
- OUTERBRIDGE, ALEXANDER E., JR. Specialization in Manufacture, 25: 43-50; Trades Unionism, 22: 427-32; The Premium System of Wage Payment, 21: 10-19.
- OUTERBRIDGE, E. H. Lower Telephone Rates for New York City, 53: 66-70.
- Output, 50: 18, 23, 103; 61: 175, 177, 181.
- OUTPUT, INDUSTRIAL, AND SOCIAL EFFICIENCY, 59: 125-32.
- Overcrowding, 21: Sup. J., '03, 59; 51: 56.
- See* Housing, Congestion, Tenement houses.
- Overhead charges, 63: 228. *See* Electric lighting, Gas, Public utilities.
- OVER-NUTRITION AND ITS SOCIAL CONSEQUENCES, 10: 33-53.
- Over-production, 3: 288; 59: 67, 142.
- OVERWORK, IDLENESS OR INDUSTRIAL EDUCATION, 27: 342-53.
- OVIATT, F. C. Historical Study of Fire Insurance in the United States, 26: 335-58; Fire Insurance, Expenses, Profits, Problems, 24: 446-62; Standard Fire Insurance Policy, 26: 359-90; Economic Place of Life Insurance and Its Relation to Society, 26: 181-91.
- OVINGTON, MARY WHITE. The Negro in the Trades Unions in New York, 27: 551-8.
- Owen, Robert, 44: 28; 44: Sup. N., '12, 22, 71.
- OWEN, ROBERT L. Significance of the Woman Suffrage Movement, 35: Sup. M., '10, 6-9.
- Ownership, private, 44: 115; 51: 19; 57: 60, 101, 104, 111, 231, 244, 280, 284, 286-7. *See* Municipal ownership, Private ownership, Public ownership.
- Oxford, 6: 547.
- OXFORD, THE TEACHING OF POLITICAL SCIENCE AT, 2: 85-95.
- Pacific Coast, 39: 57; 41: Sup. M., '12, 12; 45: 44; 54: 252, 254; 55: 100-2.
- PACIFIC COAST, CHINESE LABOR COMPETITION ON THE, 34: 340-50.
- PACIFIC NORTHWEST, COLUMBIA RIVER IMPROVEMENT AND THE, 31: 189-202.
- PACIFIC, FACTORS AFFECTING POLICY OF THE UNITED STATES IN THE, 54: 243-4.
- PACIFIC, THE POLICY OF THE UNITED STATES IN THE, 54: 245-50.



- PACIFIC COAST, PUBLIC HEALTH MOVEMENT ON THE, **37**: 331-8.
- PACIFIC, THE RACES OF THE; THE NATIVES OF HAWAII; A STUDY OF POLYNESIAN CHARM, **18**: 9-20.
- PACIFIC RAILWAY DEBTS, **5**: 684-704.
- PACIFIC RAILWAY, THE UNION, **8**: 259.
- PACKER, LAUNCELOT. Points to be Considered in Workmen's Compensation Legislation, **38**: 184-201.
- PAGE, ELWIN L. New Hampshire's Experiment in Using Prison Labor to Support Paupers, **46**: 115-21.
- PAINE, ROBERT TREAT. The Housing Conditions in Boston, **20**: 123-36.
- PAINT MANUFACTURE, THE OUTLOOK FOR, **34**: 507-11.
- PALLICIA, G. M. The Relief of the Poor in Italy, **28**: 311-16.
- PALMER, RAY. Municipal Lighting Rates, **57**: 33-44.
- PALMER, WALTER B. Simplified Cost Accounting for Manufacturers, **61**: 165-73.
- PANAMA, **7**: 21; **54**: 85, 263; **55**: 70, 71; **61**: 259.
- Canal, **4**: Sup. S., '03, 15; **19**: 5; **22**: 64, 115-26; **26**: 10, 38, 165; **36**: 601; **37**: 738; **45**: 14, 42; **54**: 22, 84-91, 252; **55**: 38-40; **59**: 327.
- PANAMA CANAL. THE EFFECT OF THE PANAMA CANAL ON OUR RELATIONS WITH LATIN-AMERICA, **54**: 84-91.
- PANAMA PROJECT, PRESENT STATUS OF, **31**: 12-35.
- Pan-American Conferences, **22**: 95-6; **27**: Sup. M., '06, 14-16; **37**: 594-601.
- PAN-AMERICAN CONFERENCE. FOURTH PAN-AMERICAN CONFERENCE, **37**: 594-601.
- PAN-AMERICAN CONFERENCE, THE MONROE DOCTRINE AT THE FOURTH, **37**: 602-8.
- PAN-AMERICAN CONFERENCES AND THEIR SIGNIFICANCE, THE, **27**: Sup. M., '06.
- PAN-AMERICAN POLICY: THE MONROE DOCTRINE MODERNIZED, A, **54**: 1-4.
- Pan-American Union, **54**: 128; **60**: 156.
- Panics, **14**: 191-2; **25**: 87-100; **31**: 308-34, 361, 378, 388, 423, 460-2; **32**: 50-4; **34**: 584; **61**: 2; **63**: 97-8. See Crises, Industrial depression, Speculation.
- PANIC, AUTOMOBILE SALES AND THE, **34**: 552-4.
- PANICS. BUSINESS SITUATION, CAUSES OF THE, **32**: 50-4.
- PANIC OF 1907, THE, AND SOME OF ITS LESSONS, **31**: 308-25.
- PANIC OF 1907, THE LESSONS OF, **31**: 448-53.
- PANICS, A NATIONAL CLEARING HOUSE AS A SAFEGUARD AGAINST, **31**: 460-2.
- PANICS, AN ELASTIC CREDIT CURRENCY AS A PREVENTIVE OF, **31**: 326-34.
- PANIC, THE, AND THE PRESENT DEPRESSION, **32**: 55-62.
- PANIC PREVENTION AND CURES, **31**: 398-412.
- PANICS. THE RECOVERY FROM THE DEPRESSION, **34**: 584-91.
- PANICS. NORTHWEST IN THE RECENT FINANCIAL CRISIS, THE, **31**: 413-19.
- PANICS, NATIONAL CLEARING HOUSE, A, AS A SAFEGUARD AGAINST, **31**: 460-2.
- PANIC, THE, AS A WORLD PHENOMENON, **31**: 302-7.
- PAPER CURRENCY, PENNSYLVANIA, **8**: 50-126.
- PAPER AND PULP, WHAT OUGHT THE TARIFF RATES TO BE ON, **32**: 300-9.
- PAPER AND PULP INDUSTRY, DIFFICULTIES AND NEEDS OF THE, **34**: 467-70.
- Paraguay, **54**: 12.
- Parcel post, **37**: 736; **50**: 7, 67, 198. See Direct selling, Marketing.
- Pardoning power, **29**: Sup. Mch., '07, 31, 84; **46**: 4, 5, 43; **52**: 61-5.
- PARDONING POWER, THE USE OF THE, **52**: 61-6.
- PARENTAL DEPENDENCE, POVERTY AND, AS AN OBSTACLE TO CHILD LABOR REFORM, **29**: 1-8.
- PARENTAL RESPONSIBILITY FOR CHILD LABOR, **27**: 354-6.
- PARENTHOOD, THE RESPONSIBILITY OF, **36**: 64-70.
- Paris: **3**: 76; **4**: 503; **7**: 58-63, 286; **8**: 586; **9**: 163; **10**: 298-9; **12**: 311; **13**: 132, 134, 279, 417; **14**: 144, 279; **15**: 483; **16**: 167-8, 328, 503; **19**: 500-5; **21**: 325-6; **22**: 541; **24**: 411; fire insurance, **13**: 279; pawnshops, **9**: 163; **13**: 417; **15**: 483; poor relief, **16**: 167; railways, **10**: 298; schools, **13**: 134; street railways, **7**: 358; taxation, **7**: 358; water, **14**: 144.
- PARIS, NEW ACADEMIC DEGREES AT, **7**: 286-90.
- PARIS, THE MUSÉE SOCIAL IN, **7**: 58-62.
- PARISH GOVERNMENT IN LOUISIANA, **47**: 39-47.
- PARKHURST, CHARLES H. The Inadvisability of Woman Suffrage, **35**: Sup. M., '10, 36-7.
- Parks: **21**: 258; **25**: 218-34; **26**: 764, 773; **35**: 217-28, 304, 401-8, 423; **51**: 213; assessment, **62**: 130; Baltimore, **23**: 555; Boston, **11**: 121; **12**: 152, 304; **51**: 178; Buffalo, **23**: 556; **26**: 767; Chicago, **35**: 304-21; **62**: 141-3; Cincinnati, **13**: 128; **23**: 557; **41**: 262; Cleveland, **23**: 557; Dresden, **35**: 441-8; Duluth, **26**: 773; Grand Rapids, **23**: 558; London, **16**: 163; Massachusetts, **9**: 469; **14**: 138; Milwaukee, **23**: 558; national, **35**: 231-40; New Jersey, **35**: 266, 273; New Orleans, **25**: 390-2; New York, **8**: 408; **22**: 396-7; **51**: 175; Philadelphia, **6**: 332; **35**: 287-96; playgrounds, **26**: 764-73; refreshments, **35**: 386; Seattle, **26**: 772; Washington, D. C., **23**: 560; **26**: 771. See Recreation.
- PARK SYSTEM, THE BOSTON METROPOLITAN, **35**: 280-6.
- PARKS, RECREATION DEVELOPMENTS IN CHICAGO, **35**: 304-21.
- PARK SYSTEM OF ESSEX COUNTY, NEW JERSEY, **35**: 266-72.
- PARK SYSTEM OF HUDSON COUNTY, NEW JERSEY, THE, **35**: 273-9.
- PARKS, CITY PLANNING AND PHILADELPHIA, **35**: 287-96.
- PARK MOVEMENT IN MADISON, WIS., THE, **35**: 297-303.
- PARKS, MUSIC AND REFRESHMENTS IN, **35**: 386-92.
- PARKS AND RESERVATIONS, OUR NATIONAL, **35**: 231-40.
- PARKS AND RECREATION FACILITIES IN THE UNITED STATES, THE, **35**: 217-28.



- PARK SYSTEMS, THE DEVELOPMENT OF, IN AMERICAN CITIES, **25**: 218-34.
- PARK, ROBERT E. Negro Home Life and Standards of Living, **49**: 147-63.
- PARKER, CARL. Governmental Regulation of Speculation, **38**: 444-72.
- PARKER, HAROLD. Good Roads Movement, **40**: 51-7.
- PARKER, LEWIS W. Compulsory Education, the Solution of Child Labor Problem, **32**: Sup. Jy., '08, 40-56; Condition of Labor in Southern Cotton Mills, **33**: 278-86.
- Parliament, **4**: Sup. S., '93, 24-32; **15**: 38-40.
- PARLIAMENTARY PROCEDURE, **3**: 306-29.
- Parole system, **20**: 655; **36**: 41.
- PARMELEE, MAURICE. The Economic Basis of Feminism, **56**: 18-26.
- PARRY, DAVID M. Automobile Sales and the Panic, **34**: 552-4; Reciprocity and the Middle West, **29**: 462-5; Tariff Revision a Public Necessity, **32**: 265-70.
- PARSONS, ELSIE CLEWS. Feminism and Conventionality, **56**: 47-53.
- PARSONS, FRANK. Australasian Methods of Dealing with Immigration, **24**: 207-20; Public Ownership and Low Rates, **24**: 361-3.
- PARSONS, HERBERT. A Bureau of Information and Report for the Insular Possessions, **30**: 123-9; Establishment of a National Children's Bureau, **34**: 48-53.
- PARSONS, MARION RANDALL. The Sierra Club, **35**: 420-5.
- PARSONS, WILLIAM BARCLAY. Cape Cod Canal, **31**: 81-91.
- Parties, *see* Political parties.
- PARTNERSHIP, A PROMISING VENTURE IN INDUSTRIAL, **44**: 97-103.
- Pasadena: **57**: 11, 214; bonds, **57**: 210; charter, **57**: 209; electric rates, **57**: 78, 212; electric service, **57**: 126, 209, 211, 219; electrical energy, **57**: 211; electrical utilities, **57**: 209; lighting, **57**: 11, 216-17, 219-21; municipal ownership, **59**: 218; municipal power plant, **57**: 211-12; power rates, **57**: 213, 219-20.
- PASADENA'S MUNICIPAL LIGHT AND POWER PLANT, **57**: 209-27.
- PASCO, SAMUEL. The Isthmian Canal Question as Affected by Treaties and Concessions, **19**: 24-45.
- Passengers, **1**: 103-31; **4**: Sup. S., '93, 67; **11**: 324-52; **29**: 330, 334, 337, 339. *See* Railroads.
- Passes, **29**: Sup. Mch., '07, 60.
- PASTORIZA, J. J. The Houston Plan of Taxation, **58**: 194-7.
- Patents, **9**: 178; **30**: Sup. S., '07, 80; **32**: 431; **42**: 69, 152, 193, 198-9, 235, 253, 261, 329.
- "PATENT MONOPOLY," THE BOGEY OF THE, **42**: 251-62.
- Paternalism, **3**: 218; **42**: 43, 208.
- PATTEN, SIMON N. Relation of Abstract to Concrete Sciences, **5**: 942-8; A Revision of American Policies, **54**: 191-200; The Failure of Biologic Sociology, **4**: 919-47; Cost and Expense, **3**: 703-35; Cost and Utility, **3**: 409-28; The Present Problems in the Economic Interpretation of History, **24**: 540-55; The Reconstruction of Economic Theory, **44**: Sup. N., '12; Economics in Elementary Schools, **5**: 461-89; Relation of Economics to Sociology, The, **5**: 577-83; The Financial Menace to America of the European War, **60**: 123-9; The Standardization of Family Life, **48**: 81-90; The Decay of Local Government in America, **1**: 26-42; Economic Causes of Moral Progress, **3**: 129-49; The Formulation of Normal Laws, **7**: 426-49; Over-Nutrition and Its Social Consequences, **10**: 33-53; Political Significance of Recent Economic Theories, **32**: 82-94; The Economic Basis of Prohibition, **2**: 59-68; Organic Concept of Society, The, **5**: 404-9; The Relation of Sociology to Psychology, **8**: 433-60; The Theory of Social Forces, **7**: Sup. J., '96; Beginning of Utility, The, **5**: 257-60; The Evolution of a New Woman, **56**: 111-21. *See also* **3**: 31; **4**: Sup. S., '93, 151-2.
- PATTEN'S THEORY OF PROSPERITY, **19**: 239-55.
- PATTERSON, C. STUART. The "Original Package" Case, **1**: 192-202.
- PATTERSON, E. M. The Theories Advanced in Explanation of Economic Crises, **59**: 133-47; The Organization and Work of the Federal Reserve Board, **63**: 88-96; The Cost of Distributing Groceries, **50**: 74-82.
- PATTERSON, WILLIAM B. The Religious Value of Proper Housing, **51**: 41-7.
- PATTISON, MRS. FRANK A. Scientific Management in Home-making, **48**: 96-103.
- PAUL, ALICE. The Woman Suffrage Movement in Great Britain, **35**: Sup. M., '10, 23-7.
- PAUL, WINSTON. The County Employee, **47**: 81-4; The Movement for County Reorganization in New Jersey, **47**: 255-7.
- Pauperism: **5**: 4; **12**: 378; **23**: 269-71; immigration, **24**: 185-205; insurance, **18**: 564.
- PAUPERISM, IMMIGRATION IN ITS RELATION TO, **24**: 167-206.
- PAUPERS, NEW HAMPSHIRE'S EXPERIMENT IN USING PRISON LABOR TO SUPPORT, **46**: 115-21.
- PAVEMENTS, EFFICIENCY IN HIGHWAY ADMINISTRATIONS WITH SPECIAL REFERENCE TO, **41**: 115-26.
- Paving, **29**: 491, 559-600; **41**: 75, 96, 115, 124, 127, 264, 274, 286, 298.
- PAVING, MUNICIPAL, **29**: 559-600.
- Pawn shops, **9**: 163; **13**: 417; **15**: 483.
- PAXSON, FREDERIC L. Franchise Legislation in Missouri, **17**: 469-72.
- Peabody, George, **49**: 210.
- Peabody, James, **4**: Sup. S., '93, 53.
- Peace: **2**: 471-87; **13**: Sup. M., '99, 77; **44**: 119; **50**: 222-9; **54**: 270, 273; **59**: 324; **60**: 203-4, 209-10, 226, 233; **61**: 229, 231-3, 235-6, 239, 246, 270-7, 281-2. *See* World Peace, Arbitration, Treaties.
- PEACE ACTIVITIES, INDUSTRIAL, OF THE NATIONAL ELECTRIC LIGHT ASSOCIATION, **44**: 86-96.
- PEACE HOW CAN AMERICA BEST CONTRIBUTE TO THE MAINTENANCE OF THE WORLD'S, **61**: 235-8.
- PEACE, HOW CAN AMERICA BEST CONTRIBUTE TOWARD CONSTRUCTIVE AND DURABLE? **61**: 243-4.

- PEACE, AMERICA'S POSSIBLE CONTRIBUTION TO A CONSTRUCTIVE, **61**: 239-42.
- PEACE, AMERICA'S POSSIBLE CONTRIBUTION TO A WORLD, **60**: 230-4.
- PEACE, ECONOMIC PRESSURE AS A MEANS TOWARD CONSERVING, **61**: 270-3.
- PEACE, EDUCATION AND INDUSTRIAL, **44**: 119-29.
- PEACE, FORCE AND, **60**: 197-212.
- PEACE, CONDITIONS FUNDAMENTAL TO INDUSTRIAL, **44**: 18-27.
- PEACE, INDUSTRIAL, FROM THE STANDPOINT OF A TRADE UNIONIST, **44**: 141-4.
- PEACE, AN INTERNATIONAL COURT, AN INTERNATIONAL SHERIFF AND WORLD, **61**: 274-5.
- PEACE, THE NATIONAL CIVIC FEDERATION AND INDUSTRIAL, **44**: 10-17.
- PEACE, SIX ESSENTIALS TO PERMANENT, **60**: 222-9.
- PEACE POLICY, A CONSTRUCTIVE, FOR AMERICA, **54**: 270-6.
- PEACE, THE UNITED STATES AND CANADA IN THEIR HUNDRED YEARS OF, **45**: 56-68.
- PEACE OF THE WORLD, HOW AMERICA MAY CONTRIBUTE TO THE PERMANENT, **61**: 230-4.
- PEACE, WORLD COURT AND LEAGUE OF, **61**: 276-83.
- PEARSON, PAUL M. The Chautauqua Movement, **40**: 211-16.
- PEASANTS, THE PRESENT CONDITION OF THE, IN THE RUSSIAN EMPIRE, **2**: 225-35.
- PECORINI, ALBERTO. The Italian as an Agricultural Laborer, **33**: 380-90.
- PEDDLERS, **50**: 63-4, 114.
- PEDDLER, THE UNAPPRECIATED TIN: HIS SERVICES TO EARLIER MANUFACTURERS, **46**: 183-8.
- PEIXOTTO, EUSTACE M. The Columbia Park Boys' Club, a Unique Playground, **35**: 436-40.
- Penal institutions, **21**: 330-1; **22**: 540-1.
- PENAL LAW, PRINCIPLES OF REFORM IN, **21**: 419-25.
- Penitentiaries, **46**: 28, 54, 56. See Jails, Prisons.
- PENITENTIARY MANAGEMENT, THE IDEAL, FOR KANSAS, **46**: 54-7.
- PENNINGTON, MARY E. Relation of Cold Storage to the Food Supply and the Consumer, **48**: 154-63.
- Pennsylvania: **1**: 554; **1**: Sup. F., '91, 3; **4**: Sup. S., '93, 51-2; **5**: 642; **6**: 125; **7**: 162, 506; **8**: 337, 573; **10**: 381; **14**: 269, 344; **15**: 204-35; **18**: 435; **20**: 638-43; **21**: 494, 24; 591; **29**: Sup. Meh., '07, 17, 43, 46, 67; **74**: **33**: 105; **33**: Sup. Meh., '09, 191-2; **35**: Sup. Meh., '10, 184-6; **38**: Sup. Jy., '11, 180-2; **43**: 18; **47**: 21, 92, 166, 170, 177; **51**: 235-6; **52**: 84, 98, 140-1, 143; **53**: 14, 18, 36-45, 48, 52, 54, 59-60, 62; **57**: 175-85; **58**: 158-61, 179-80; ballot, **14**: 385; **16**: 151; **20**: 639-40; certificate of convenience and necessity, **53**: 41; charities, **5**: 822; **10**: 137; **21**: 494; **47**: 166-81; charter, **16**: 152; child labor, **20**: 26, 158; **32**: Sup. Jy., '08, 142-3; civil service, **7**: 506; **14**: 138; **24**: 410; commission government, **57**: 175; competition, **53**: 45; constitution, **1**: 554; currency, **8**: 50-126; dependent children, **18**: 278-9; education, **6**: 548; employment of girls, **23**: 434; forests, **35**: 252; franchises, **13**: 412; juvenile court, **36**: 71; **52**: 140-1; health, **37**: 339-46; **47**: 172; Home Rule League, **57**: 177-8; labor, **10**: 307; legislation, **14**: 269; liquor, **23**: 384-7; **32**: 541; markets, **50**: 111; mines, **38**: Sup. Jy., '11, 133-8; minimum wage, **48**: 38, 49; municipal corporations, **53**: 45; Municipal League, **2**: 573-6; **19**: 490; municipal legislation, **7**: 506; prisons, **10**: 309; probation, **20**: 259; Public Service Commission, **53**: 40, 45, 50, 52; **57**: 175-8; public works, **22**: 379; railroads, **4**: Sup. S., '93, 77-8; real estate, **58**: 158, 163, 207-8; recall, **43**: 24; regulation, **57**: 175-85; sanitation, **16**: 153; street railways, **11**: 277; suffrage, **56**: 153-60; tariffs, **53**: 39; taxation, **4**: 805-9; **58**: 161; town development, **51**: 235-6; township organization, **15**: 169; trolley freight, **48**: 221-2; unemployment, **61**: 45-6; voting, **2**: 751-71; **18**: 547; wages, **48**: 37, 39-40; women suffrage, **56**: 155-60.
- PENNSYLVANIA BALLOT LAW OF 1891, MERITS AND DEFECTS OF THE, **2**: 751-71.
- PENNSYLVANIA CHILD LABOR ASSOCIATION, **32**: Sup. Jy., '08, 142-3.
- PENNSYLVANIA, THE COAL MINES OF, **38**: Sup. Jy., '11, 133-8.
- PENNSYLVANIA COUNTY, CHARITY FUNCTIONS OF THE, **47**: 166-81.
- PENNSYLVANIA, THE EQUAL SUFFRAGE CAMPAIGN IN, **56**: 153-60.
- PENNSYLVANIA, FORESTRY POLICY OF TYPICAL STATES, **35**: 252-9.
- PENNSYLVANIA, THE EMPLOYMENT OF GIRLS IN TEXTILE INDUSTRIES OF, **23**: 434-44.
- PENNSYLVANIA MINIMUM WAGE ACT, THE PROPOSED, **48**: 37-40.
- PENNSYLVANIA MUSEUM, THE WORK OF THE, AND SCHOOL OF INDUSTRIAL ART, **33**: 105-10.
- PENNSYLVANIA, PROTECTING PUBLIC HEALTH IN, **37**: 339-46.
- PENNSYLVANIA, THE PUBLIC SERVICE COMPANY LAW OF, **53**: 36-44.
- PENNSYLVANIA, STATE AND LOCAL REGULATION IN, **57**: 175-85.
- PENNSYLVANIA STATUTE ON PUBLIC UTILITIES, SOME DEFECTS IN THE PRESENT, **53**: 45-53.
- PENNSYLVANIA, ASSESSED VS. REAL VALUES OF REAL ESTATE IN, **58**: 158-67.
- Pennsylvania Railroad, **4**: Sup. S., '93, 8, 77-8; **17**: 506; **42**: 79, 87; **50**: 14-15, 17.
- PENNSYLVANIA RAILROAD PENSION DEPARTMENTS, **33**: 258-64.
- PENNSYLVANIA RAILROAD TUNNEL EXTENSION INTO NEW YORK CITY, THE ECONOMIC NECESSITY FOR THE, **29**: 245-59.
- Pennsylvania Tax Conference, **3**: 837.
- PENNSYLVANIA TAX CONFERENCE, **4**: 805-9.
- Pennybacker, Mrs. Percy V., **56**: 78, 79.
- PENNYBACKER, MRS. PERCY V. THE EIGHTH BIENNIAL CONVENTION OF THE GENERAL FEDERATION OF WOMEN'S CLUBS, **28**: 277-82.
- Penology, **20**: 455; **25**: 199, 406, 409, 412; **46**: 4.
- PENOLOGY, INDUSTRIAL, **46**: 1-3.
- PENOLOGY, THE NEW, **46**: 4-7.
- PENOLOGY, PHILANTHROPY AND, **23**: M., '04.

- Pensions: **3**: 52, 347; **8**: 198; **18**: 371, 485-8; **37**: 99; **38**: 243; **41**: 295-6; **42**: 35, 39, 41, 51, 136, 210; England, **35**: Sup. Mch., '10, 36; municipal, **13**: 365; **38**: 614; National Electric Light Association, **44**: 94; Pennsylvania Railroad, **33**: 258-64; Prussia, **13**: 365; railways, **18**: 371; street railway employees, **20**: 456; teachers, **8**: 198; United Kingdom, **48**: 6; United States Steel Corporation, **42**: 17; **48**: 181.
- PENSIONS, CIVIL SERVICE, **38**: 3-5.
- PENSION DEPARTMENTS, PENNSYLVANIA RAILROAD, **33**: 258-64.
- PENSIONS. RETIREMENT SYSTEMS FOR MUNICIPAL EMPLOYEES, **38**: 6-14.
- PENSION SYSTEM, THE NATIONAL, AS APPLIED TO THE CIVIL WAR AND THE WAR WITH SPAIN, **19**: 204-26.
- PENSION SYSTEM OF TENNESSEE, THE STATE MILITARY, **18**: 485-90.
- PEPPER, CHARLES M. The Meaning of the Monroe Doctrine, **54**: 113-8; South American Markets, **59**: 309-15; The Spanish Population of Cuba and Porto Rico, **18**: 163-78.
- PERCY, WALKER. Birmingham Under the Commission Plan, **38**: 929-34.
- Perkins, Frances, **56**: 58.
- PERMANENT PEACE, SIX ESSENTIALS TO, **60**: 222-9.
- Permits, *see* Indeterminate permits.
- Perpetual franchises, *see* Franchises.
- PERRY, C. F. Milwaukee School of Trades, **33**: 78-84.
- Persia, **1**: Sup. Mch., '91, 16; **61**: 36.
- PERSON, HARLOW S. Education for Business, **28**: 101-14.
- PERSONAL POWERS, PROLONGING LIFE AND DEVELOPING, **59**: 29-39.
- Personal property: **30**: Sup. S., '07, 143; revenue, **30**: Sup. S., '07, 59; taxation, **58**: 84, 146, 189-92; **62**: 120, 134. *See* Property, Taxation.
- Peru, **22**: 59-65; **37**: 662-82; **54**: 5, 11; **60**: 86, 94-5.
- PERU, THE POSITION OF, IN SOUTH AMERICAN AFFAIRS, **22**: 59-65.
- PERU, PUBLIC INSTRUCTION IN, **37**: 663-82.
- PESQUEIRA, ROBERTO V. The Constitutional Party in Mexico: What It Is Fighting for, **54**: 166-74.
- Peter the Great, **1**: Sup. Mch., '91, 67.
- PETERS, A. J. The Underwood Tariff Act as a Producer of Revenue, **58**: 12-14.
- PETERS, JAMES W. S. The Commission Movement in Missouri, **38**: 839-49; Home Rule Charter Movements in Missouri, **27**: 155-67.
- PETERS, JOHN P. Suppression of the "Rainey Law Hotels," **32**: 556-66.
- Petitions: **43**: 104, 151-2, 206-7, 218, 220, 224, 227, 229; Arkansas, **43**: 104; Maine, **43**: 101; Michigan, **43**: 104; Missouri, **43**: 102; Montana, **43**: 99; New Mexico, **43**: 105; Ohio, **43**: 192-3, 198, 201; Oklahoma, **43**: 100; Oregon, **43**: 97.
- Petroleum, **28**: 29; **59**: 26-7.
- Petty jury, **52**: 37.
- Petty, Wm., **1**: Sup. Mch., '91, 30, 34, 209.
- PEYTON, DAVID C. Working for the Individual, **46**: 66-71.
- PFÄHLER, A. E. Profit Sharing as an Influence in Industrial Relations, **59**: 200-8.
- PFÄHLER, W. H. Coöperation of Labor and Capital, **20**: 45-58; Labor Unions as They Appear to an Employer, **21**: 46-54.
- Philadelphia: **5**: 456, 629, 798, 990; **6**: 167, 187, 330, 548, 565; **7**: 148-50, 233, 353; **9**: 152-3, 155, 309, 482; **10**: 122, 139; **11**: 117-19, 127, 301-23, 422-3; **12**: 148; **13**: 19, 271, 412; **14**: 18-37; **15**: 81-7, 176, 193, 288; **17**: 555-6; **19**: 148-9, 510-11; **23**: 445-56; **27**: 180, 184, 186, 192, 400; **29**: 169, 238-43; **34**: 388-94; **38**: 545-70; **41**: 64-5, 67, 69, 127, 235, 245-61, 281; **48**: 402; **50**: 134; **51**: 108, 201; **57**: 28, 31, 37; **59**: 229, 288-9; accounting, **62**: 136-7; baths, **11**: 127; **13**: 208; budget, **41**: 64, 69, 127, 139, 235, 245, 281; **62**: 34, 138; Bureau of Highways, **41**: 249; Bureau of Municipal Research, **41**: 235; chain stores, **48**: 210; charities, **41**: 69, 254; civic organizations, **25**: 382-4; death rate, **1**: Sup. F., '91, 9-11; debt, **10**: 292; direct buying, **48**: 214; diseases, **29**: 190; education, **25**: 164-7; elections, **14**: 20; electric light, **4**: Sup. S., '93, 50; exchanges, **38**: 535; expenditures, **41**: 64; filtration, **13**: 271; food distribution, **48**: 206; franchises, **19**: 491; gas, **8**: 193; **10**: 133, 473; **11**: 117, 301-23; **28**: 381; harbor facilities, **29**: 366; health, **41**: 69; housing, **1**: Sup. F., '91, 8; **10**: 139; **51**: 152, 165, 169; infant mortality, **31**: 486; juvenile courts, **20**: 271-6; marketing, **50**: 76, 80, 110, 134-5; markets, **50**: 134; municipal court, **52**: 100; Municipal League, **6**: 554; **19**: 490; municipal paving, **29**: 568; Negroes, **33**: 111; **45**: 82-4; **49**: 24-5, 81, 186-208; parks, **35**: 287-96; Pennsylvania Hospital, **47**: 174; playgrounds, **62**: 144-6; politics, **17**: 181-204; port administration, **29**: 366; prohibition, **52**: 138; public service, **57**: 31; reform organizations, **27**: 400-2; representation, **7**: 238; retailers, **50**: 80; schools, **6**: 167; **15**: 176, 193, 228; **33**: 85-8, 111; street railways, **6**: 551-3; **7**: 139, 144, 353; **24**: 354-60; streets, **51**: 173-4, 202; Surveys, Board of, **41**: 65; swimming centers, **62**: 147; taxes, **19**: 491; terminal markets, **50**: 135; transit, **57**: 28-32; water, **10**: 472; **13**: 271; **30**: 562.
- PHILADELPHIA, APPRENTICESHIP SYSTEM AT THE BALDWIN LOCOMOTIVE WORKS, **33**: 175-7.
- PHILADELPHIA, THE BEREAN SCHOOL OF, AND THE INDUSTRIAL EFFICIENCY OF THE NEGRO, **33**: 111-18.
- PHILADELPHIA, ELECTION METHODS AND REFORMS IN, **17**: 181-204.
- PHILADELPHIA, MILWAUKEE AND TOLEDO, THE EXCHANGES OF MINNEAPOLIS, DULUTH, KANSAS CITY, MO., OMAHA, BUFFALO, **38**: 545-70.
- PHILADELPHIA, CERTAIN ASPECTS OF THE HOUSING PROBLEM IN, **20**: 111-20.
- PHILADELPHIA, THE JUVENILE COURT IN, **20**: 271-6.
- PHILADELPHIA, JUVENILE COURTS AND PROBATION IN, **36**: 71-6.
- PHILADELPHIA, THE OUTLOOK FOR MUNICIPAL EFFICIENCY IN, **41**: 245-61.

- PHILADELPHIA, MUNICIPAL MARKETS IN, **50**: 134-6.
- PHILADELPHIA, THE MOVEMENT FOR THE BETTERMENT OF THE NEGRO IN, **49**: 81-92.
- PHILADELPHIA, NEGRO CHILDREN IN THE PUBLIC SCHOOLS OF, **49**: 186-208.
- PHILADELPHIA NOMINATING SYSTEM, THE, **14**: 18-37.
- PHILADELPHIA PARKS, CITY PLANNING AND, **35**: 287-96.
- PHILADELPHIA'S RELATION TO RAPID TRANSIT COMPANY, **31**: 600-11.
- PHILADELPHIA, SIGNIFICANCE OF THE RECENT REFORM MOVEMENT IN, **27**: 180-90.
- PHILADELPHIA SOCIAL SCIENCE ASSOCIATION, **1**: 708-19.
- PHILADELPHIA, CHICAGO, SAN FRANCISCO, CINCINNATI, NEW YORK, DEVELOPMENT OF STREET RAILWAY SYSTEM, **6**: 551-6.
- PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN, NEW YORK; STREET RAILWAYS IN THE UNITED STATES, **7**: 144-61.
- PHILADELPHIA, STREET RAILWAYS IN, SINCE 1900, **24**: 354-60.
- PHILADELPHIA TRADES SCHOOL, THE, **33**: 85-8.
- PHILADELPHIA'S TRANSIT PROBLEM, **57**: 28-32.
- PHILANTHROPY, **5**: 22-38; **12**: 49-57, 319; **15**: 297; **17**: 158, 363, 546; **18**: 370, 375, 563; **19**: 308, 509, 517; **20**: 454, 463-5, 647; **21**: 327, 335-6, 379-88, 490; **22**: 390, 398-400, 535; **23**: 178, 180, 186, 389, 562; **24**: 412, 593, 602; **25**: 189, 196, 200, 402; **26**: 774, 778; **27**: 447, 458; **44**: Sup. N., '12, 28. See Charities.
- PHILANTHROPY, **17**: 158.
- PHILANTHROPY, CHARITIES AND SOCIAL PROBLEMS, **17**: 546-57; **18**: 370-82, 563-7.
- PHILANTHROPY, PROBLEMS OF, IN CHICAGO, **21**: 379-88.
- PHILANTHROPY, THE CHURCH AND, **30**: 522-38.
- PHILANTHROPY. FRESH AIR WORK, **23**: 464-71.
- PHILANTHROPY AND PENOLOGY, Vol. **23**: M., '04.
- PHILANTHROPY. THE ESSENTIALS OF A RELIEF POLICY, **21**: 343-62.
- PHILANTHROPY, SOCIOLOGY AND, **12**: 49-57.
- Philippines: **13**: Sup. M., '99, 6, 26, 48, 126-7, 156; **17**: 381-2, 558-9; **18**: 29-39, 386-7, 568; **19**: 370-6; **20**: 307, 466-9; **21**: 132-4, 137-40, 142-7, 149-51, 507-10; **22**: 402-11; **23**: 188-9, 192-3, 405-8, 572; **24**: 425-6, 428-30; **26**: 130; **30**: 43-5, 115-22, 130-4; **54**: 249; banking, **30**: 27; banks, **8**: 45-51; **30**: 38, 45; civil government, **20**: 313-27; civil service, **19**: 342-9; currency, **20**: 518-33; education, **30**: 69-82; **33**: 89, 95; forests, **34**: 430; highways, **41**: 249; political parties, **20**: 207-12; rice, **22**: 402-3; Roman Catholic Church, **20**: 456-9; **30**: 88; suffrage, **119**: 419-23; tariff, **23**: 12-25; **32**: 363-6; trade, **24**: 427. See Manila.
- PHILIPPINE PROVINCE, THE ADMINISTRATION OF A, **30**: 115-22.
- PHILIPPINE ISLANDS, THE AGRICULTURAL BANK FOR THE, **30**: 38-44.
- PHILIPPINE ISLANDS, BANKING, CURRENCY AND FINANCE IN THE, **30**: 27-37.
- PHILIPPINE ISLANDS, THE CURRENCY OF THE, **20**: 518-33.
- PHILIPPINES, THE ESTABLISHMENT OF CIVIL GOVERNMENT IN THE, **20**: 313-27.
- PHILIPPINES, EDUCATION AND SOCIAL PROGRESS IN THE, **30**: 69-82.
- PHILIPPINES, ORIENTAL IMMIGRATION INTO THE, **34**: 388-94.
- PHILIPPINES, POLITICAL PARTIES IN THE, **20**: 307-12.
- PHILIPPINE POSTAL SAVINGS BANKS, THE, **30**: 45-51.
- PHILIPPINES, THE PROBLEM OF THE, **30**: 130-4.
- PHILIPPINES, THE RACES OF THE—THE TAGALS, **18**: 21-63.
- PHILIPPINE ISLANDS, RAILROADS IN THE, **30**: 52-61.
- PHILIPPINES, THE POSITION AND WORK OF THE ROMAN CATHOLIC CHURCH IN THE, **30**: 83-9.
- PHILIPPINE ISLANDS, TARIFF RELATIONS OF THE UNITED STATES AND THE, **23**: 12-25.
- PHILIPPINES, OUR TARIFF RELATIONS WITH THE—ACTUAL AND DESIRABLE, **32**: 363-6.
- PHILIPPINES, OUR TRADE WITH CUBA AND THE, **19**: 370-6.
- PHILIPPINE ISLANDS, THE SEMI-CIVILIZED TRIBES OF THE, **18**: 43-66.
- PHILLIPS, STANLEY ALBIN. The Motor Truck as an Agency in Direct Marketing, **50**: 20-34.
- PHILLIPS, ULRICH B. The Decadence of the Plantation System, **35**: 37-41.
- Philosophie Herakleitos des Dunkeln*, **4**: Sup. Mch., '94, 96.
- Philosophy: **4**: Sup. Mch., '94, 48, 100-1; essays in political and moral, **4**: Sup. Mch., '94, 127.
- PHOSPHATES, PRESERVATION OF THE, AND THE CONSERVATION OF THE SOIL, **33**: 699-710.
- Physiocrats, **3**: 446; **4**: Sup. Mch., '94, 9, 12-13, 17-18, 21-31, 44, 109.
- PHYSIQUE, THE SIGNIFICANCE OF A SOUND, **34**: 9-15.
- Piccolomini, Aeneas Sylvius, Pope, **1**: Sup. Mch., '91, 18.
- PIERCE, CHARLES C. The Races of the Philippines—The Tagals, **18**: 21-39.
- PIERCE, DANIEL T. The Strike Problem upon Electric Railways, **37**: 93-103.
- PIERSON, WARD W. Regulation of Foreign Commerce by the Interstate Commerce Commission, **32**: 157-81.
- PILLET, A. The Monroe Doctrine, **54**: 131-3.
- PINCHOT, AMOS R. E. The Cost of Private Monopoly to Public and Wage-Earner, **48**: 164-88.
- PINCHOT, GIFFORD. The Relation of Forests to Stream Control, **31**: 219-27; Forestry on Private Lands, **33**: 487-96.
- Pittsburgh: **6**: 564; **9**: 166; **13**: 415; **15**: 473, 474; **16**: 154-5, 317, 483; **17**: 350; **19**: 166, 299-303; **24**: 585; **25**: 622-4; **27**: 407-8; **33**: 326; **41**: 187; **58**: 167-79, 181-2, 224; accounting, **15**: 473; charter, **13**: 415;



- civic organizations, **27**: 407; cost of living, **48**: 41; department stores, **33**: 326; education, **25**: 175; labor, **33**: 316; mines, **33**: 316-25; police, **24**: 585; single tax, **58**: 224; transit, **51**: 159; taxation, **58**: 168-74, 181-2, 191-2, 224.
- PITTSBURGH, WORK OF WOMEN IN THE MERCANTILE HOUSES OF, **33**: 326-37.
- PITTSBURGH DISTRICT, LABOR CONDITIONS IN THE MINES OF THE, **33**: 316-25.
- PITTSBURGH, THE DISPROPORTION OF TAXATION IN, **58**: 168-82.
- PLANTATION SYSTEM, THE DECADENCE OF THE, **35**: 37-41.
- PLANTATION SYSTEM AND THE NEGRO PROBLEM, SOUTHERN AGRICULTURE, **40**: 90-99.
- Plato, **4**: Sup. Mch., '94, 36.
- PLATT, ORVILLE H. Our Relation to the People of Cuba and Porto Rico, **18**: 145-59.
- Play, **35**: 325-33; **35**: Sup. Mch., '10, 68.
- PLAY. RURAL RECREATION, A SOCIALIZING FACTOR, **40**: 175-90.
- PLAY, THE SOCIAL SIGNIFICANCE OF, **35**: 368-73.
- PLAY AND SOCIAL PROGRESS, **35**: 325-33.
- Playfair, Wm., **4**: Sup. Mch., '94, 33-4.
- Playgrounds: **35**: 350-6, 382-5, 401-8, 436; **40**: 175; **51**: 210, 214; **62**: 144-6; Boston, **12**: 444; Buffalo, **26**: 767; Chicago, **62**: 146; Duluth, **26**: 773; Negroes, **49**: 85; Philadelphia, **49**: 83; **62**: 146; Providence, **21**: 485; Seattle, **26**: 772.
- PLAYGROUND, THE, FOR CHILDREN AT HOME, **35**: 374-81.
- PLAYGROUND, THE COLUMBIA PARK BOY'S CLUB, A UNIQUE, **35**: 436-40.
- PLAYGROUNDS. EDUCATIONAL VALUE OF PUBLIC RECREATION FACILITIES, **35**: 350-6.
- PLAYGROUNDS, PARKS AND PUBLIC, **26**: 764-73.
- PLAYGROUNDS. POPULAR RECREATION AND PUBLIC MORALITY, **34**: 33-42.
- PLAYGROUNDS, PUBLIC PROVISION AND RESPONSIBILITY FOR, **35**: 334-44.
- PLAYGROUNDS. OUR RECREATION FACILITIES AND THE IMMIGRANT, **35**: 357-67.
- PLAYGROUND, THE, AS A SOCIAL CENTER, **35**: 345-9.
- PLAYGROUND, THE SOUTHERN APPALACHIAN PARK RESERVE AS A NATIONAL, **35**: 401-8.
- PLAYGROUND, A UNIQUE, **35**: 436-40.
- Pleasure, **5**: 465; **10**: 33; **13**: 68; **44**: Sup. N., '12, 5, 9, 33, 37, 51, 92.
- PLEHN, CARL C. Tariff Relations of the United States and the Philippine Islands, **23**: 12-25.
- Pluralism, **44**: Sup. N., '12, 4, 6, 7, 9, 11.
- Pluralities, **4**: 899.
- Plymouth, **6**: 549.
- POE, CLARENCE H. Agricultural Revolution a Necessity, **35**: 42-51; North Carolina Child Labor Committee, **32**: Sup. Jy., '08, 139.
- Poe, O. M., **4**: Sup. S., '93, 123.
- POLAK, EDWARD. Reduction of Tax on Buildings in the City of New York, **58**: 183-8.
- Poles, **61**: 31.
- Police: **1**: 192-202; **15**: 324, 470; **17**: 100; **24**: 581-5, 587-8, 590-1; **36**: 19; **38**: 149; **39**: 52; **62**: 25, 27, 29, 30, 56-60, 85, 160; **62**: 150; Chicago, **24**: 581; Cincinnati, **24**: 584; Cleveland, **24**: 582; Duluth, **24**: 591; Louisiana, **47**: 39, 41; Mexico, **22**: 532-3; Minnesota, **20**: 449-50; New York, **12**: 145; Omaha, **12**: 448; Pittsburgh, **24**: 585; Porto Rico, **18**: 383-6.
- POLICE AND THE ADMINISTRATION OF JUSTICE, THE, **52**: 56-60.
- POLICE SYSTEM OF LONDON, THE, **24**: 556-9.
- POLICE, RURAL, **40**: 228-33.
- Political economy, **1**: 24-71, 83-102; **4**: 697-737; **4**: Sup. Mch., '94, 7-10, 13-6, 30-3, 41-50, 58, 69-70, 97-8, 100-4, 118-9, 122-9, 133-5; **5**: 461.
- POLITICAL ECONOMY. ECONOMIC STUDY, RELATION OF, TO PUBLIC AND PRIVATE CHARITY, **4**: 34-60.
- POLITICAL ECONOMY. ECONOMICS, INSTRUCTION IN PUBLIC LAW AND, IN GERMANY, **1**: 272-88.
- POLITICAL ECONOMY. ECONOMICS, A MISGUIDED PHILOSOPHER IN THE FIELD OF, **11**: 227.
- POLITICAL ECONOMY. THE AUSTRIAN ECONOMISTS, **1**: 361-84.
- POLITICAL ECONOMY. THE PHILOSOPHICAL BASIS OF ECONOMICS, **10**: 206-40.
- POLITICAL ECONOMY. PROGRESS OF ECONOMIC IDEAS IN FRANCE, **4**: 1-33.
- POLITICAL ECONOMY, THE HISTORICAL VS. THE DEDUCTIVE METHOD IN, **1**: 244-71.
- POLITICAL ECONOMY, A HISTORY OF, Vol. **4**: Sup. Mch., '94.
- POLITICAL ECONOMY, THE IDEA OF JUSTICE IN, UTILITY AND COST AS DETERMINANTS OF VALUE, **4**: 697-737; **10**: 334-58.
- POLITICAL ECONOMY. WHY HAD ROSCHER SO LITTLE INFLUENCE IN ENGLAND, **5**: 317-44.
- POLITICAL EVOLUTION, CHICAGO TRACTION: A STUDY IN, **28**: 385-404.
- POLITICAL INSTITUTIONS, RECENT TENDENCIES IN FREE, **17**: 307-14.
- POLITICAL AND MUNICIPAL LEGISLATION IN 1896, **9**: 231-45; in 1898, **13**: 212-29. See Municipal legislation.
- POLITICAL LIFE, INFLUENCE OF CORPORATION ON, **15**: Sup. M., '00, 77-104.
- Political parties, **2**: 653-65; **3**: 1-13; **5**: 490-511; **8**: 32-49; **12**: 69-79; **15**: 124; **15**: Sup. M., '00, 93, 102; **16**: 114, 155, 185, 257; **17**: 53; **20**: 307-12; **27**: 184; **29**: Sup. Mch., '07, 19, 27-9, 35.
- POLITICAL PARTIES, MUNICIPAL, CIVIC ORGANIZATIONS AND, **27**: 400-15.
- POLITICAL PARTIES. PARTY GOVERNMENT, I, **2**: 518-21.
- POLITICAL PARTIES. PARTY GOVERNMENT, II, **2**: 653-65.
- POLITICAL PARTIES. PARTY SYSTEM, BREAK UP OF THE ENGLISH, **5**: 490-511.
- POLITICAL PARTIES, FUSION OF, **8**: 32-49.
- POLITICAL PARTIES IN THE PHILIPPINES, **20**: 307-12.
- POLITICAL PARTIES IN PORTO RICO, **19**: 351-69.
- POLITICAL PARTIES. POLITICAL SYSTEM, THE PLACE OF PARTY IN THE, **2**: 300-8.
- POLITICAL PROBLEMS, CURRENT, **21**: Mch., '03.
- POLITICAL PROGRESS, SOCIAL AND, IN LATIN-AMERICA, **37**: M., '11.



- Political relations: Central and South America, **61**: 66-7; Latin-America, **22**: 111.
- POLITICAL RELATIONS, THE, OF THE UNITED STATES WITH THE FAR EAST, **13**: Sup. M., '99, 163-97.
- POLITICAL RELATIONS OF THE UNITED STATES WITH LATIN AMERICA, **22**: 111-48.
- Political science, **4**: 153, 159; **4**: Sup. Mch., '94, 42, 48, 128; **7**: 377-410; **10**: 141, 359, 380, 384; **12**: 173-92; **16**: 177-88; **18**: 434-45. *See* Ballot, Citizenship, Civil Service, Civilization, Crime, Democracy, Economics, Election, Executive power, Feudalism, Finance, Immigration, Law, Legislation, Local government, Municipal government, Police, Prisons, Property, Punishment, Referendum, Representation, Socialism, Sociology, States, Statistics, Suffrage, Taxation, Treaties, Veto, Villages.
- POLITICAL SCIENCE ASSOCIATION OF THE CENTRAL STATES, **5**: 796-7.
- POLITICAL SCIENCE ASSOCIATION, JOINT MEETING OF AMERICAN ECONOMIC ASSOCIATION AND, OF THE CENTRAL STATES, **7**: 344-8.
- POLITICAL SCIENCE, LONDON SCHOOL OF ECONOMICS AND, **6**: 283-9.
- POLITICAL SCIENCE, THE TEACHING OF, AT OXFORD, **2**: 85-95.
- POLITICAL SCIENCE, THE PROBLEMS OF, **10**: 165-86.
- POLITICAL SCIENCES, AND SOCIAL, PLACE OF THE, IN MODERN EDUCATION, **10**: 359-88.
- POLITICAL TENDENCIES, PRESENT, **18**: 189-225.
- Political theory, **10**: 61; **16**: 177.
- Politics, **11**: 137, 173; **12**: 29, 69-97; **16**: 155; **17**: 153-4; **35**: 172-83; **41**: 108.
- POLITICS, BUSINESS AND, AT HOME AND ABROAD, **42**: 156-71.
- POLITICS, THE COUNTY IN, **47**: 85-100.
- POLITICS AND ADMINISTRATION, **16**: 177-88.
- POLITICS AND ECONOMICS, VACATION COURSES IN, AT BERLIN, **6**: 281-2.
- POLITICS AND ECONOMICS, VACATION COURSES IN, **6**: 546-50.
- POLITICS AND JOURNALISM AT LILLE, COURSES IN, **8**: 342-9.
- POLITICS. THE ELECTION OF 1900, **17**: 53-73.
- POLITICS. ELECTION METHODS AND REFORMS IN PHILADELPHIA, **17**: 181-204.
- POLITICS, OSCILLATION IN, **12**: 69-97.
- POLITICS, SIDGWICK'S ELEMENTS OF, **3**: 211-22.
- POLITICS, SOCIOLOGY APPLIED TO, **11**: 137-73.
- POLITICS, NEW, FOR THE SOUTH, **35**: 172-83.
- Politocrats, **52**: 4, 5, 8.
- Polity, **61**: 223-5.
- Poll tax, **29**: Sup. Mch., '07, 26-7. *See* Taxation, Taxes.
- POLLOCK, CHARLES A. Exceptions in a Prohibition Law—Problems of Enforcement, **32**: 598-603.
- POLLOCK, HORATIO M. The Public Service Commissions of the State of New York, **31**: 649-58.
- Polygamy, **29**: Sup. Mch., '07, 63.
- POND, OSCAR L. Methods of Judicial Review in Relation to the Effectiveness of Commission Control, **53**: 54-65.
- Pools, **4**: Sup. S., '93, 53-4; **8**: 127-47; **55**: 78, 81, 85-6, 130-4, 147-54.
- POOLING AGREEMENTS, **55**: 144-54.
- POOLING OF FREIGHT CARS, THE, **29**: 260-5.
- POLYTECHNIC INSTITUTE, TECHNICAL EDUCATION AT THE, BROOKLYN, **33**: 97-104.
- Poor, **7**: 513; **12**: 157, 159; **15**: 341; **18**: 9; **25**: 273. *See* Almshouses, Charities, Labor, Pensions, Tenements, Tramps.
- POOR, BANKING AMONG THE: THE LIGHTHOUSE SAVINGS FUND EXPERIMENT, **18**: 286-9.
- POOR WHITE FOLKS, **35**: Sup. Mch., '10, 58-60.
- Poor relief, **3**: 389; **8**: 419; **10**: 193-5; **17**: 164-72, 546-7; **28**: 311-16; **29**: 401; **36**: 312; **47**: 69.
- POOR, THE RELIEF OF THE, IN ITALY, **28**: 311-16.
- Popular vote, *see* Voting.
- POPULAR VOTE, LAW-MAKING BY, **2**: 324-44.
- POPULAR VOTE, A NEW METHOD OF CONSTITUTIONAL AMENDMENT BY, **43**: 311-25.
- Population: **1**: 64; **1**: Sup. F., '91, 3; **1**: Sup. Mch., '91, 38-9; **4**: Sup. Mch., '94, 28-32, 41, 89, 97, 134; **6**: 347; **12**: 359; **19**: 154-9; **29**: Sup. Mch., '07, 43, 44; **31**: 61; **44**: Sup. N., '12, 38; **49**: 1-4, 6, 9, 82-4, 108-9, 180; **50**: 153, 183, 255; **59**: 288; Berlin, **13**: 12; Cincinnati, **16**: 488; New Orleans, **16**: 487; South America, **18**: 448; **22**: 500; **37**: 371; **50**: 183. *See* Census.
- POPULATION, **6**: 347.
- POPULATION, ECONOMIC SIGNIFICANCE OF CHANGES IN COUNTRY, **40**: 21-5.
- POPULATION. GROWTH OF THE FRENCH CANADIAN RACE, **8**: 213-35.
- POPULATION, NEGRO, IN THE UNITED STATES, **49**: 1-9.
- Populism, **8**: 74; **18**: 189-225.
- PORRITT, EDWARD. The Break-up of the English Party System, **5**: 490-511.
- PORTER, ROBERT P. The Tariff Policy of our New Possessions, **15**: Sup. M., '00, 169; 171-84.
- Portland, Ore., **58**: 154.
- Porto Rico: **13**: Sup. M., '99, 6, 53; **17**: 583-4; **18**: 141-78, 226-50, 383-6; **19**: 326-8; **20**: 657-66; **21**: 134-5; charities, **18**: 565; **23**: 502-13; civil government, **13**: Sup. M., '99, 26; Code Commission, **19**: 326-8; disease, **61**: 259-60; education, **20**: 657-63; **23**: 402-4; elections, **21**: 338-42; finance, **17**: 444-53; highways, **20**: 657; lepers, **23**: 504; political parties, **19**: 351-69; schools, **20**: 657, 663; suffrage, **19**: 424-8; tariff, **15**: Sup. M., '00, 173; trade, **19**: 377-82; **55**: 70.
- PORTO RICO, CONDITIONS IN, **26**: 55-6.
- PORTO RICO, THE FINANCIAL PROBLEMS OF, **17**: 444-53.
- PORTO RICO, POLITICAL PARTIES IN, **19**: 351-69.
- PORTO RICO, OUR RELATION TO THE PEOPLE OF CUBA AND, **18**: 145-62.
- PORTO RICO, THE SPANISH POPULATION OF CUBA AND, **18**: 163-80.
- PORTO RICO, OUR TRADE WITH HAWAII AND, **19**: 377-82.
- Ports: **51**: 223-4; **59**: 258; **60**: 52; Buffalo, **29**: 371; Chicago, **29**: 360; competition, **55**:

- 54; Detroit, 29: 377; Duluth, 29: 382; Great Britain, 24: 507-24; Porto Rico, 19: 326-8; terminal, 59: 245-58.
- PORT ADMINISTRATION AND HARBOR FACILITIES, 29: 357-400.
- PORT, THE MODERN TERMINAL, 59: 245-58.
- PORTS AND TERMINAL FACILITIES, THE BRITISH SYSTEM OF IMPROVING AND ADMINISTERING, 24: 507-24.
- PORTS, FUTURE OF THE SOUTH ATLANTIC, 35: 120-3.
- PORTUGAL, 1: Sup. Mch., '91, 68.
- Postal savings banks: 8: 461; 11: 44-53; 36: 651; Australia, 12: 200; Austria, 8: 473; 11: 48; Belgium, 8: 481; England, 11: 44-53; France, 11: 44-53. See Banking, Banks.
- POSTAL SAVINGS BANKS, 8: 461-90.
- POSTAL SAVINGS BANK, THE PHILIPPINE, 30: 45-51.
- POSTAL SAVINGS BANKS, THE RELATION OF, TO COMMERCIAL BANKS, 11: 44-53.
- Potash: 42: 164, 180, 245.
- Potatoes: 59: 8, 11.
- POTT, F. L. HAWKS. China's Method of Revising Her Educational System, 39: 83-96.
- POTTS, CHARLES S. The Convict Labor System of Texas, 21: 426-37; The Independent Treasury vs. Bank Depositories: A Study in State Finance, 20: 571-601; Texas Stock and Bond Law, 53: 162-71.
- Poultry, 50: 50.
- Poverty: 4: 39, 46, 48, 53; 11: 130. See Poor, Poor relief, Tramps, Vagrancy.
- POVERTY AND PARENTAL DEPENDENCE AS AN OBSTACLE TO CHILD LABOR REFORM, 29: 1-8.
- POVERTY AND PARENTAL DEPENDENCE IN RELATION TO CHILD LABOR REFORM, I, 38: Sup. Jy., '11, 77-9.
- POVERTY AND PARENTAL DEPENDENCE IN RELATION TO CHILD LABOR REFORM, II, 38: Sup. Jy., '11, 80-4.
- POVERTY AND PARENTAL DEPENDENCE IN RELATION TO CHILD LABOR REFORM, III, 38: Sup. Jy., '11, 85-9.
- Power: 53: 12, 42; 57: 219-20, 249; 60: 234; 63: 250-1, 253-4.
- POWER PLANT, PASADENA'S MUNICIPAL LIGHT AND, 57: 209-27.
- POWER RATES, ELECTRIC LIGHTING AND, 53: 238-50.
- POWER RESOURCES OF THE SOUTH, THE, 35: 81-98.
- POWERS, H. H. Terminology and the Sociological Conference, 5: 705-17; The War as a Suggestion of Manifest Destiny, 12: 173-92; Wealth and Welfare, I, 12: 325-57; Wealth and Welfare, II, 13: 57-80; Wealth and Welfare, III, 13: 173-211.
- POWERS, JOHN O. Advertising, 22: 470-4.
- POWERS, L. G. Budget Provisions in Commission-Governed Cities, 38: 798-807; Governmental Regulation of Accounting Procedure, 53: 119-27.
- Pragmatism: 44: Sup. N., '12, 3, 5, 74, 77.
- PRATT, C. O. The Sympathetic Strike, 36: 391-6.
- PRATT, EDWARD EWING. The Attitude of Business towards Foreign Trade, 59: 291-300; A New Industrial Democracy, 44: 28-38; Trade Conditions in Latin America as Affected by the European War, 60: 72-97.
- PRATT, JOSEPH HYDE. Convict Labor in Highway Construction, 46: 78-87; Good Roads Movement in the South, 35: 105-13.
- PRENDERGAST, WILLIAM A. Efficiency through Accounting, 41: 43-56.
- PRESBYTERIAN DEPARTMENT OF CHURCH AND LABOR, THE, 30: 456-60.
- PRESCOTT, WILLIAM B. The Services of Labor Unions in the Settlement of Industrial Disputes, 27: 521-30; Trade Teaching Under the Auspices of the Typographical Union, 33: 178-84.
- President, 1: 223; 43: 16. See Democracy, Executive power.
- Press: 17: 9; 36: 200; 49: 132. See Journalism, Newspapers.
- PRESS, SOCIAL SIGNIFICANCE OF THE AGRICULTURAL, 40: 158-62.
- Preussische Jahrbücher, 4: Sup. Mch., '94, 119, 121.
- PREVEY, C. E. Economic Aspects of Charity Organization, 14: 1-17.
- PRICE, MISS CHARLOTTE H. Committee on Child Labor and Legislation of, the Consumers' League of Massachusetts, 32: Sup. Jy., '08, 131-2.
- PRICE, C. W. Employees' Benefit Association of the International Harvester Company, 33: 246-57.
- PRICE, HOMER C. Effect of Farm Credits on Increasing Agricultural Production and Farm Efficiency, 50: 183-90.
- PRICE, THEODORE H. The Future of America's Foreign Trade, 60: 17-21.
- Prices: 3: 182, 727; 4: 348-77; 4: Sup. Mch., '94, 127; 5: 102; 8: 50-126; 13: 40; 14: 38-72, 184; 16: 195, 197; 18: 574; 41: 337, 345; 42: 3, 22, 63-5, 94, 96, 108, 146, 150-1, 159, 161-5, 172, 180, 183-4, 186-7, 189, 192, 196, 203-4, 206, 211, 222-3, 225, 228-30, 233-4, 236, 243-4, 257, 267, 274, 278, 301, 307-8; 44: Sup. N., '12, 37-8, 48, 64; 48: 133, 136, 147, 202, 205; 50: 25, 55, 60, 78, 80, 86, 105, 145, 153, 157, 162, 165, 257; 58: 149; 59: 51-2; 63: 65-6, 70, 72-5, 177-8; Baltimore, 50: 125; cutting, 50: 78, 81, 225; 63: 38-9, 61-4; European war, 59: 298-9; 60: 19; fixing, 50: 162; gas, 31: 595; Milwaukee, 50: 133; quantity, 50: 80; regulation, 48: 211-12; resale, 63: 65-6; retail, 3: 255-6; 15: Sup. M., '00, 129; 50: 26, 80; 59: 221; seasonal, 59: 48; securities, 14: 184; statistics, 63: 265-6; wholesale, 48: 199.
- PRICES, FACTORS AFFECTING COMMODITY, 38: 473-506.
- PRICES, GEOMETRICAL THEORY OF THE DETERMINATION OF, 3: 45-64.
- PRICE FLUCTUATIONS, PREVENTION OF WASTE AND SEASONAL, THROUGH REFRIGERATION, 50: 48-56.
- PRICES, INFLUENCES AFFECTING SECURITY AND VALUES, 35: 627-35.
- PRICES, TRUSTS AND, 20: 604-15.
- PRICHARD, FRANK P. The Study of the Science of Municipal Government, 2: 450-7.

- Primary elections: **29**: Sup. Mch., '07, 14, 28-9; California, **15**: 165; Chicago, **12**: 306; Cincinnati, **12**: 445; direct, **43**: 223, 416; Illinois, **13**: 220; Minneapolis, **15**: 165; **16**: 490; **18**: 550; Minnesota, **15**: 165; **18**: 550; **20**: 450, 616; Nebraska, **15**: 165; New York, **12**: 146; **13**: 219; **14**: 385; Philadelphia, **14**: 20; presidential preference, **16**: 43; San Francisco, **11**: 176.
- PRIMARIES, A PROBLEM OF, **28**: 442-52.
- PRIMARY ELECTION SYSTEM, THE TEST OF THE MINNESOTA, **20**: 616-26.
- PRIMARY ELECTION LAW, THE NEW YORK, **11**: 381-3.
- PRIMARY LAWS, RECENT AMENDMENTS TO ELECTION AND, **25**: 326-7.
- PRIMARY LEGISLATION, TENDENCIES IN, **13**: 346-63.
- Prison labor: **9**: 245; **10**: 309; **21**: 327-33; **46**: 1-141, 4147-53, 161-5; **56**: 67.
- PRISON LABOR, Vol. **46**.
- PRISON LABOR, THE COURTS AND, **46**: 122-31.
- PRISON LABOR IN THE DISTRICT OF COLUMBIA, **46**: 161-5.
- PRISON LABOR, NEW HAMPSHIRE'S EXPERIMENT IN USING, TO SUPPORT PAUPERS, **46**: 115-21.
- PRISON LABOR, GOOD OPPORTUNITIES FOR, **46**: 92-6.
- PRISON LABOR, THE PROBLEM OF, **46**: 45-53.
- PRISON LABOR ON PUBLIC ROADS, **46**: 58-60.
- PRISON LABOR REFORM IN NEW JERSEY, **46**: 154-60.
- PRISON LABOR AND SOCIAL JUSTICE, **46**: 147-53.
- PRISON LABOR, THE TRADE-UNION ATTITUDE TOWARDS, **46**: 132-7.
- PRISON LABOR, WOMEN AND, **46**: 17-21.
- PRISON WORKER, THE WAGE-EARNER AND THE, **46**: 8-16.
- Prisoners: **9**: 52; **20**: 259-61; **21**: 327-8, 333; **23**: 562-3; **46**: 14, 54, 64, 140, 143-4, 151; **52**: 98-9, 132-8; defective, **19**: 310; employment, **21**: 328-9; **46**: 7, 15, 31, 39, 87, 94, 97, 149; Minnesota, **46**: 20; Negro, **49**: 75.
- Prisons: **11**: 189; **20**: 656; **26**: 781; **32**: 596; **46**: 7-149; **49**: 77; Atlanta, **21**: 331; Connecticut, **22**: 541; Massachusetts, **14**: 153; **21**: 494; National Associations, **4**: 454-5; **6**: 545; **19**: 153-4, 310-11; **20**: 457-9, 656; **22**: 546-8; **26**: 781; New York, **21**: 336; **23**: 392-3; Russia, **20**: 655-6. See Crime, Punishment.
- PRISON ASSOCIATION, NATIONAL, **4**: 454-5; **6**: 545.
- Private corporations: **57**: 8, 214. See Corporation.
- enterprise, prime motive in, **57**: 282.
- monopoly, see Monopoly.
- ownership, see Ownership.
- Probation: **20**: 259-67; **23**: 562-3; **52**: 23, 132-9; **56**: 88.
- PROBATION, ADULT, **52**: 132-9.
- PROBATION, JUVENILE COURTS AND, IN PHILADELPHIA, **36**: 71-6.
- PROBATION WORK FOR WOMEN, **36**: 27-36.
- PROBLEMS, BANKING, Vol. **36**.
- PROBLEMS IN CHARITIES AND CORRECTIONS, Vol. **21**.
- PROBLEMS OF ORGANIZED LABOR, SOME, Vol. **24**.
- Produce: **45**: 250; **48**: 200; **50**: 2-3, 5, 62, 155. See Exchanges, Fruits.
- PRODUCE, WHAT FARMERS CAN DO TO FACILITATE TRANSPORTATION AND MARKETING OF, **50**: 37-43.
- PRODUCE, RELATION OF JOBBERS AND COMMISSION MEN TO THE HANDLING OF, **50**: 57-68.
- PRODUCE EXCHANGE, THE FUNCTIONS OF, **38**: 319-53.
- PRODUCE EXCHANGE, THE NEW YORK, **38**: 524-39.
- PRODUCE EXCHANGE MARKETS, AMERICAN, **38**: S., '11.
- PRODUCE MARKETS, CURRENT SOURCES OF INFORMATION IN, **38**: 422-43.
- Producers: **15**: Sup. M., '00, 129; **48**: 213; **50**: 22, 68, 106, 110, 145, 149, 155, 157, 205, 256.
- Production: **1**: 368; **2**: 604; **4**: 363; **8**: 304-31; **17**: Sup. J., '01, 35; **42**: 22, 28, 57, 63, 110-11, 114, 120, 137, 152-3, 160, 166, 173-4, 176, 187, 196, 198-9, 207, 222, 226, 267, 273-4, 311, 324; **44**: 32, 62, 115; **44**: Sup. N., '12, 5, 11, 54, 58; **48**: 249; **50**: 63; **53**: 183, 193, 282; **59**: 37, 65-76, 78-80, 151, 328; **60**: 5-6; **61**: 88-9, 135, 156, 174; **63**: 263-4.
- PRODUCTION, CONSUMER'S CONTROL OF, **34**: Sup. Jy., '09.
- PRODUCTION, THE INCREASED COST OF, **48**: 244-51.
- PRODUCTION, THE IMPORTANCE OF RESEARCH AS A MEANS OF INCREASING AGRICULTURAL, **59**: 40-50.
- PRODUCTION, UNCERTAINTY AS A FACTOR IN, **8**: 304-31.
- Profits: **3**: 456-60; **4**: 337-47; **4**: Sup. Mch., '94, 27; **5**: 90, 409; **35**: 689; **41**: Sup. M., '12, 76; **42**: 86, 108, 112, 210, 223, 229, 237; **44**: 99, 101-2, 114; **44**: Sup. N., '12, 11, 14-15, 17, 21, 26-7, 31, 34, 41-4, 51, 55, 60; **50**: 175, 179; **53**: 181, 251; **59**: 200.
- PROFITS AND VOLUME OF CAPITAL, THE, **18**: 420-33.
- PROFITS THAT FARMERS RECEIVE, **50**: 175-82.
- PROFITS, THE EFFECT OF IDLE PLANT ON COSTS AND, **61**: 86-9.
- PROFITS, INTERESTS AND, **4**: 337-47.
- PROFIT, RENT AND, **5**: 90-103.
- "PROFITS," CLARK'S USE OF "RENT" AND, **5**: 409-11.
- Profit sharing: **2**: 698; **7**: 62; **14**: 394; **21**: 10-19; **31**: 597; **32**: 47; **42**: 15, 17; **44**: 79-80, 94; **44**: Sup. N., '12, 27, 70; **59**: 200, 202-3, 205-8, 210-11; **61**: 185; electric railways, **37**: 91; England, **10**: 134; United States Steel Corporation, **42**: 15. See Co-operation, Labor.
- PROFIT SHARING AS AN INFLUENCE IN INDUSTRIAL RELATIONS, **59**: 200-8.
- Progress: **4**: Sup. Mch., '94, 98; **38**: 117-8; **43**: 36; **44**: Sup. N., '12, 12, 35-6, 48, 50, 73, 83-8; **48**: 84.
- PROGRESS, INDUSTRIAL COMBINES AND NATIONAL, **42**: 125-33.
- PROGRESS, RELATION OF INDUSTRIAL EDUCATION TO NATIONAL, **33**: 1-12.

- Progressive movements: **21**: 251; **43**: 33, 35-6, 39-41, 43, 47; **44**: Sup. N., '12, 29; **52**: 27.
- PROGRESSIVE MOVEMENT, THE SO-CALLED: ITS REAL NATURE, CAUSES AND SIGNIFICANCE, **43**: 32-48.
- Prohibition: **2**: 340; **3**: 429-43; **32**: 598-603; **56**: 145-6, 148; California, **46**: 138; Colorado, **56**: 148; New Zealand, **56**: 148-9; Washington, **56**: 148. See Anti-Saloon League, Local Option, Temperance, Saloons.
- PROHIBITION, THE BUSINESS TEST OF, **32**: 582-90.
- PROHIBITION, THE ECONOMIC ASPECTS OF, **32**: 591-7.
- PROHIBITION, THE ECONOMIC BASIS OF, **2**: 59-68.
- PROHIBITION IN KANSAS, **32**: 567-75.
- PROHIBITION LAW, EXCEPTIONS IN A—PROBLEMS OF ENFORCEMENT, **32**: 598-603.
- PROHIBITION AS A PRESENT POLITICAL PLATFORM, **32**: 576-81.
- Promoters, **41**: Sup. M., '12, 27.
- PROMOTER, THE WORK OF THE, **20**: 559-70.
- PROOF-OF-AGE RECORDS, **35**: Sup. Mch., '10, 127-33.
- Property: **4**: Sup. Mch., '94, 78, 233-64; **5**: 733; **30**: Sup. S., '07, 64, 66; **53**: 184, 204; **58**: 95, 97, 100-3, 189-90; **63**: 173, 175; confiscation, **54**: 172; depreciation, **53**: 204; married women, **4**: 233; personal, **30**: Sup. S., '07, 143; taxation: **29**: Sup. Mch., '07, 65; **30**: Sup. S., '07, 27-63, 140; **58**: 3-4, 8-9, 78, 100-1, 106-7; valuation, **32**: 90; **51**: 249. See Insurance, Land, Mortgages, Personal Property.
- PROPERTY, MARRIED WOMEN'S, IN ANGLO-SAXON AND ANGLO-NORMAN LAW, **4**: 233-64.
- PROPERTY, TAXATION OF INTANGIBLE, **58**: 95-104.
- Proportional representation, **1**: 213; **4**: 448; **6**: 370, 374, 381-96, 537; **7**: 233-52; **15**: 381; **28**: 436.
- PROPORTIONAL REPRESENTATION, **2**: 700-6.
- PROPORTIONAL REPRESENTATION CONFERENCE, **6**: 537-9.
- PROPORTIONAL REPRESENTATION AND THE DEBATES UPON THE ELECTORAL QUESTION IN BELGIUM, **15**: 381-404.
- PROPORTIONAL REPRESENTATION, AN EARLY ESSAY ON, **7**: 233-52.
- PROPORTIONAL REPRESENTATION, SOCIAL BASIS OF, **6**: 381-96.
- Propriété et de ses formes primitives*, **4**: Sup. Mch., '94, 131.
- Prosecutions, **41**: 299. See Courts.
- Prosecutor, **47**: 120-1.
- Prosperity, **44**: 563-8; **44**: Sup. N., '12, 1, 55, 58.
- PROSPERITY, AGRICULTURAL EDUCATION AND AGRICULTURAL, **59**: 51-64.
- PROSPERITY, PROFESSOR PATTEN'S THEORY OF, **19**: 239-55.
- PROSPERITY, THE RETURN OF, **34**: 563-8.
- Prostitution, see Women.
- Protection, **4**: 12, 607.
- PROTECTION, EXPANSION AND INTERNATIONAL COMPETITION, **23**: 26-42.
- PROTECTION, TARIFF REVISION AND, FOR AMERICAN LABOR, **32**: 315-20.
- Protective tariff, see Tariff.
- Proudhon, P. J., **4**: Sup. Mch., '94, 47, 78-9, 90, 109.
- PROUTY, CHARLES A. The Federal Valuation of Utilities, **63**: 173-81; Remarks as Presiding Officer at the Conference of American Mayors, Nov. 12-14, 1914, **57**: 277-8; Railway Discriminations and Industrial Combinations, **15**: 41-50.
- Providence: **10**: 130; **14**: 386; **18**: 548-9; **19**: 303-4; **22**: 384; **29**: Sup. Mch., '07, 79, 81-2; charter, **13**: 129; civic associations, **25**: 395-6, 630; commerce, **25**: 396; diseases, **29**: 200; education, **25**: 181-2; electric light service, **21**: 123-4; **27**: 218; finance, **21**: 320-2; gas, **21**: 123; **27**: 218; infant mortality, **31**: 490; liquor, **23**: 377-9; meat supply, **28**: 336; Municipal League, **8**: 576; parks, **21**: 485; political movements, **10**: 130; schools, **14**: 386; **21**: 484-5; street railways, **18**: 548; **22**: 384-5; telephones, **21**: 122-3; water, **30**: 588.
- PROVIDENCE SCHOOL CENSUS SYSTEM, **35**: Sup. Mch., '10, 130-3.
- Prussia: **1**: Sup. Mch., '91, 46-7, 57; **2**: 321; **3**: 393-408; **5**: Sup. S., '94, 7-25; **13**: 364-9; **17**: 361-2; **39**: 37; **62**: 202-3; canals, **4**: Sup. S., '93, 75; cities, **13**: 364-9; department stores, **13**: 368; income tax, **58**: 38; local administration, **1**: 518; meat, **13**: 367; police, **3**: 399; railroads, **1**: 510; **3**: 78; **4**: Sup. S., '93, 109; **10**: 389-423; **29**: 310-22; railways, **10**: 389-423; **11**: 324; **23**: 121-40; taxes, **62**: 202-3; transportation, **10**: 389-423; **11**: 324; voting, **15**: 327.
- PRUSSIAN CITY HALLS, THE GOVERNMENT OF A TYPICAL, **15**: 313-54.
- PRUSSIA, CONSTITUTION OF THE KINGDOM OF, **5**: Sup. S., '94.
- PRUSSIA, LOCAL GOVERNMENT OF COUNTRY COMMUNITIES IN, **3**: 393-408.
- PRUSSIAN RAILROADS, ADMINISTRATION OF, **10**: 389-423.
- PRUSSIAN RAILWAY ADMINISTRATION, **29**: 310-22.
- PRUSSIAN RAILWAY RATE MAKING AND ITS RESULTS, **29**: 323-41.
- PRYOR, JAMES W. The Greater New York Charter, **10**: 20-32.
- Psychology, **1**: 70; **6**: 413; **8**: 433-60; **13**: 173. See Insanity.
- PSYCHOLOGY. CLINICAL STUDY AND TREATMENT OF NORMAL AND ABNORMAL DEVELOPMENT. A PSYCHOLOGICAL CLINIC, **34**: 141-62.
- PSYCHOLOGY, RELATION OF SOCIOLOGY TO, **8**: 433-60.
- Public, **57**: 8, 13, 182, 317; **62**: 165; **63**: 15-17, 158-61, 252, 255-6, 279.
- PUBLIC, THE BOSTON CONSOLIDATED GAS COMPANY: ITS RELATION TO THE, ITS EMPLOYEES, AND INVESTORS, **31**: 593-99.
- PUBLIC, THE COST OF PRIVATE MONOPOLY TO THE, AND WAGE EARNER, **48**: 164-88.
- PUBLIC, EDUCATING THE, TO A PROPER APPRECIATION OF URBAN STREET RAILWAY PROBLEMS, **37**: 104-9.
- PUBLIC, THE PRESENTATION OF INTERURBAN PROBLEMS TO THE, **37**: 110-18.
- PUBLIC, THE, AND THE RAILWAYS, **32**: 97-101.



- Public agency theory: **57**: 13; **58**: 141, 144-5, 148.
- baths: Birmingham, **11**: 285; Chicago, **18**: 566; New York, **8**: 205; **9**: 465; Philadelphia, **13**: 280. *See* Baths.
- PUBLIC BATHS, **8**: 205.
- Public charities, *see* Charities.
- PUBLIC COMFORT STATIONS, LAUNDRY AND, IN NEW YORK, **8**: 205.
- Public control: **53**: 85; **57**: 12; **63**: 158-61.
- PUBLIC CONTROL, THE FINANCIAL REPORTS OF NATIONAL BANKS AS A MEANS OF, **24**: 43-66.
- PUBLIC CONTROL, COMMUNAL BENEFITS FROM THE, OF TERMINAL MARKETS, **48**: 149-53.
- PUBLIC CONTROL, RELATION OF AUDITING TO, **26**: 665-80.
- PUBLIC DEFENDER, THE ADVISABILITY OF A, **52**: 177-80.
- Public employment, *see* Employment.
- finance, *see* Finance.
- health, *see* Health.
- PUBLIC HEALTH MOVEMENT, THE, **37**: Mch., '11.
- Public highways, *see* Highways.
- law, *see* Law, Legislation.
- PUBLIC LAW, INSTRUCTION IN, AND ECONOMICS IN GERMANY, I, **1**: 78-102.
- PUBLIC LAW, INSTRUCTION IN, AND ECONOMICS IN GERMANY, II, **1**: 272-88.
- Public markets, *see* Markets, Municipal Markets, Terminal Markets.
- Public opinion: **3**: 8; **15**: 123; **28**: 143-54; **41**: 27; **44**: Sup. N., '12, 1, 17, 48, 89; **56**: 100, 102-3, 113; Australia, **37**: 217; China, **39**: 25; England, **52**: 201; **56**: 113; public service, **57**: 119; weights and measures, **50**: 89; women, **56**: 107.
- ownership: **14**: 310, 316-21; **24**: 361; **30**: Sup. S., '07, 75; **53**: 92, 93; **57**: 59-61, 103-6, 108, 120, 204, 206-7; **58**: 198-9; **63**: 252; Australia, **12**: 203; England, **2**: 708; public utilities, **58**: 143; retail stores, **48**: 211; water, **57**: 281. *See* Municipal ownership, Ownership.
- PUBLIC OPINION, THE AMERICAN CONSCIENCE AND AMERICAN, **27**: Sup. M., '06, 14-16.
- PUBLIC OWNERSHIP AND OPERATION, THEIR, FRANCHISES OR MONOPOLIES, **14**: 310-26.
- PUBLIC OWNERSHIP AND LOW RATES, **24**: 361-3.
- Public playground, *see* Children, Playgrounds, Recreation.
- Public prosecutor, **52**: 177-80, 205.
- PUBLIC PROSECUTOR, THE: HIS POWERS, TEMPTATIONS AND LIMITATIONS, **47**: 120-33.
- PUBLIC RECREATION FACILITIES, **35**: Mch., '10.
- Public regulation: **2**: 433-9; **37**: 170-90.
- PUBLIC REGULATION OF CORPORATIONS, THE —DISCUSSION OF JUDGE GROSSCUP'S ADDRESS, **32**: 30-3.
- PUBLIC REGULATION OF INDUSTRIES, THE DEMAND FOR THE, **2**: 433.
- PUBLIC REGULATION OF PRIVATE FORESTS, **33**: 497-509.
- PUBLIC REGULATION OF STREET RAILWAY TRANSPORTATION, **29**: 275-91.
- PUBLIC REGULATION, THE FRUITS OF, IN NEW YORK, **37**: 170-90.
- PUBLIC ROADS, PRISON LABOR ON, **46**: 58-60.
- Public schools, *see* Education, Schools.
- service: **41**: 307; **44**: 5, 8; **53**: 45; **57**: 83, 171.
- PUBLIC SERVICE, TRAINING MEN AND WOMEN FOR, **41**: 307-12.
- PUBLIC SERVICE REGULATION, ACCOUNTING IN, **53**: 128-34.
- Public service commissions: **53**: 128-34; **57**: 13, 121, 180, 183, 298; **58**: 140-1; California, **20**: 643; Los Angeles, **53**: 108-14; Massachusetts, **53**: 9; New York, **31**: 649-58; Pennsylvania, **53**: 45; **57**: 175-8; St. Louis, **53**: 185. *See* Public utilities commissions, various states.
- PUBLIC SERVICE COMMISSIONS OF THE STATE OF NEW YORK, THE, **31**: 649-58.
- Public service companies: **53**: 50, 77, 214, 217; capitalization, **53**: 178-81; certificate of notification, **53**: 43; competition, **53**: 46; Pennsylvania, **53**: 36-45; pensions, **44**: 94; valuation, **53**: 44.
- PUBLIC SERVICE COMPANIES, CAPITALIZATION OF EARNINGS OF, **53**: 178-81.
- PUBLIC SERVICE COMPANY LAW OF PENNSYLVANIA, THE, **53**: 36-44.
- Public service corporations: **31**: 659-70, 701-2; **53**: 45-7, 49, 74, 77-8, 88-9; **57**: 3, 8-9, 12-13, 52, 83, 91, 118-19, 128-9, 166, 182, 187, 320-1; capitalization, **15**: Sup. M., '00, 23; Chicago, **31**: 689-94; securities, **63**: 255-6. *See* Corporations, Public service companies.
- PUBLIC SERVICE CORPORATIONS. BOSTON CONSOLIDATED GAS COMPANY, ITS RELATION TO THE PUBLIC, ITS EMPLOYEES AND INVESTORS, **31**: 593-9.
- PUBLIC SERVICE CORPORATIONS, A CONSTRUCTIVE POLICY FOR, **57**: 83-93.
- PUBLIC SERVICE CORPORATIONS, THE RELATION OF CHICAGO, TO, **31**: 689-94.
- PUBLIC SERVICE CORPORATIONS, MODERATION IN CONTROL OF, **31**: 701-2.
- PUBLIC SERVICE CORPORATIONS IN DETROIT, THE CONTROL OF, **31**: 576-92.
- PUBLIC SERVICE CORPORATIONS. FRANCHISE GRANTS IN NEW YORK CITY, **31**: 612-18.
- PUBLIC SERVICE CORPORATIONS IN NEW JERSEY, RESTRICTIVE LEGISLATION AGAINST, **31**: 659-70.
- PUBLIC SERVICE CORPORATIONS OF NEW ORLEANS, **31**: 630-8.
- PUBLIC SERVICE CORPORATIONS, SECURITIES OF, AS INVESTMENTS, **25**: 101-16.
- Public utilities: **53**: 1-18, 43, 50-1, 62, 71-2, 75, 77, 79, 81-2, 96-7, 124, 175, 269, 278; **57**: 9-11, 13, 14, 18-23, 25, 27, 46, 50, 55, 58, 101-3, 136, 140-1, 152, 170-4, 180, 182, 255; **58**: 140-4, 148; **62**: 208; California, **57**: 102-3; certificates of convenience and necessity, **57**: 161, 180; home rule, **53**: 85-93; indeterminate franchise, **53**: 136; indeterminate permit, **53**: 143; London, **57**: 184; Los Angeles, **53**: 108-18; Madison, **53**: 100; Maryland, **57**: 65; Mayors' Conference, **57**: 320; Massachusetts, **12**: 149; **57**: 62; monopolies, **53**: 143; municipal ownership, **57**: 6, 130, 217, 224, 226, 256, 258-9, 279; New Orleans, **15**: 126; New PUBLIC UTILITIES REGULATION IN NEW YORK, **31**: 535-51.



- York, **27**: 111-19; **57**: 121; Pennsylvania, **53**: 41, 45-53; Seattle, **57**: 76-7; service, **53**: 85-93, 241, 262-8; **57**: 11, 14; street railways, **12**: 103, 304; waterworks, **57**: 279-81; Wisconsin, **53**: 100. *See* Electric light, Gas, Regulation, Water, etc.
- PUBLIC UTILITIES, COMMISSION REGULATION OF: A SURVEY OF LEGISLATION, **53**: 1-18.
- PUBLIC UTILITIES, EFFECT OF STATE REGULATION OF, UPON MUNICIPAL HOME RULE, **53**: 85-93.
- PUBLIC UTILITIES, SOME DEFECTS IN THE PRESENT PENNSYLVANIA STATUTE ON, **53**: 45-53.
- Public utility commissions, **53**: 148-61; **57**: 119. *See* Public service commission.
- PUBLIC UTILITIES COMMISSION, SHOULD THE, HAVE POWER TO CONTROL THE ISSUANCE OF SECURITIES? **53**: 148-61.
- PUBLIC UTILITY COMMISSIONERS, QUALIFICATIONS NEEDED FOR, **53**: 19-35.
- PUBLIC UTILITY PROGRAM, FUNDAMENTAL PLANKS IN A, **57**: 8-19.
- PUBLIC UTILITIES, THE REGULATION OF, **57**: 54-61.
- PUBLIC UTILITY REGULATION BY LOS ANGELES, **53**: 108-18.
- PUBLIC UTILITIES REGULATION IN NEW YORK, **31**: 535-51.
- PUBLIC UTILITY REGULATION, SOME PRESENT-DAY ISSUES OF, **57**: 62-71.
- PUBLIC UTILITY SERVICE, REGULATING THE QUALITY OF, **53**: 262-8.
- PUBLIC UTILITIES, STATE REGULATION OF, Vol. **53**.
- PUBLIC UTILITIES, TAXATION OF, **58**: 140-8.
- PUBLIC WELFARE, CORPORATIONS AND, **15**: Sup. M., '11.
- PUBLIC WELFARE, HOLDING COMPANIES AND THE, **57**: 305-12.
- PUBLIC WELFARE, THE, AND THE HOLDING COMPANY, **57**: 323-34.
- Public works: **22**: 378, 379, 385, 532; **41**: 127, 274, 277; Buffalo, **6**: 559; Cleveland, **23**: 173; England, **2**: 797; France, **2**: 797; municipal, **6**: 165; Omaha, **15**: 293; Porto Rico, **20**: 663-6.
- PUBLIC WORKS, SPECIFICATIONS FOR STANDARDIZATION OF, **41**: 127-37.
- Publicity: **26**: 646; **28**: 143-54; **29**: 87; **37**: 115; **40**: 298; **41**: 19, 26, 31; **42**: 98, 104, 140, 145, 149, 151, 154, 198, 201, 203, 232, 242, 244, 285, 286, 287, 293, 295, 305, 306, 309; **50**: 83-5; **53**: 15, 39, 50, 131-2; **61**: 160; **62**: 45.
- PUBLICITY OF ACCOUNTS OF INDUSTRIAL CORPORATIONS, **42**: 98-107.
- PUBLICITY IN AFFAIRS OF INDUSTRIAL CONDITIONS, **42**: 140-6.
- PUBLICITY AS A PREVENTIVE OF ABUSES BY THE RETAILER, **50**: 83-5.
- PUBLICITY AND REFORM IN BUSINESS, **28**: 143-54.
- PUBLICITY. SOCIAL SIGNIFICANCE OF THE AGRICULTURAL PRESS, **40**: 158-62.
- PUBLICITY, THE VALUE OF, IN REFORM, **29**: 87-92.
- PUBLISHING, BOOK, **28**: 1-15.
- PUFF, CHARLES FREDERICK, JR. Relation between the Small House and the Town Plan, **51**: 148-53.
- Pullman Company, **42**: 233-4.
- Pulp industry, **45**: 15. *See* Paper.
- PULP, WHAT OUGHT THE TARIFF RATES TO BE ON PAPER AND, **32**: 300-9.
- PULP INDUSTRY, DIFFICULTIES AND NEEDS OF THE PAPER AND, **34**: 467-70.
- PULTZ, J. LEGGETT. Economy and Efficiency in the Department of Water Supply, Gas and Electricity of New York City, **41**: 78-85.
- Punishment, **17**: 151, 366-9; **22**: 541.
- PUNISHMENT, NEW THEORY AS TO, OF CRIME, **46**: 40-4.
- PUNISHING THE INNOCENT, **46**: 142-6.
- Pupils, *see* Education, Schools.
- Purchases, **41**: 209, 268, 285, 298.
- Pure food, **28**: 236; **48**: 122; **56**: 56.
- PURE FOOD COMMITTEE, REPORT OF, **28**: 296-300.
- PURSE, THOMAS. Future of the South Atlantic Ports, **35**: 120-3.
- PURVES, ALEXANDER. Harmonizing Labor and Capital by Means of Industrial Partnership, **20**: 61-77.
- PUTNAM, ANNIE H. Vermont Child Labor Committee, **38**: Sup. Jy., '11, 184-5.
- PUTNAM, GEORGE HAVEN. The Grand Jury of the County of New York, **52**: 37-55.
- Quarantine, **15**: 51-68; **16**: 492. *See* Diseases, Health.
- Quebec, **19**: 496-7; **41**: Sup. M., '12, 21; **45**: 160; **55**: 69-70.
- QUEBEC, THEOCRATIC, **45**: 69-82.
- QUESADA, ERNESTO. The Social Evolution of the Argentine Republic, **37**: 707-30.
- Quincy, Mass., **3**: 698-700.
- Quorum, **6**: 246; **29**: Sup. Mch., '07, 47, 48.
- Race: **7**: Sup. J., '06, 18-48; **9**: 317; **15**: 307; **17**: 155; **18**: 9-187; **49**: 164-5.
- RACE DEGENERATION, EVIDENCES OF, IN THE UNITED STATES, **34**: 43-7.
- RACES, GENIUS, FAME AND THE COMPARISON OF, **9**: 317-58.
- RACE IMPROVEMENT. CLINICAL STUDY AND TREATMENT OF NORMAL AND ABNORMAL DEVELOPMENT—A PSYCHOLOGICAL CLINIC, **34**: 141-62.
- RACE IMPROVEMENT BY CONTROL OF DEFECTIVES (NEGATIVE EUGENICS), **34**: 22-30.
- RACE IMPROVEMENT, INFLUENCE OF HEREDITY AND ENVIRONMENT UPON, **34**: 3-8.
- RACE IMPROVEMENT IN THE UNITED STATES, **34**: Jy., '09.
- RACE LEGISLATION, UN-AMERICAN CHARACTER OF, **34**: 275-93.
- RACES OF THE PACIFIC, THE. THE NATIVES OF HAWAII; A STUDY OF POLYNESIAN CHARM, **18**: 9-20.
- RACES OF THE PHILIPPINES, THE—THE TAGALS, **18**: 21-42.
- RACE PROGRESS AND IMMIGRATION, **34**: 130-8.
- RACE QUESTION, WORK OF THE COMMISSION OF SOUTHERN UNIVERSITIES ON THE, **49**: 47-57.
- RACE QUESTION, A WESTERN VIEW OF THE, **34**: 269-71.
- RACE RELATIONSHIP IN THE SOUTH, **49**: 164-72.

- Raiffeisen System, **46**: 172; **50**: 190. See Agricultural credit.
- Railroad commissions, **6**: 469-77; **57**: 254-5. See Commissions, Public service commissions, Public utility commissions, various states.
- Railroads: **2**: 240; **4**: Sup. S., '93, 37-62, 66, 78; **10**: 389-423; **15**: Sup. M., '00, 137; **17**: 205-43, 386-8, 564-6; **26**: 655; **30**: 312-35; **32**: 97-101, 120-6, 135, 247; **40**: 52; **42**: 69, 79, 93, 144, 157-8, 175, 181, 183, 188, 190, 195, 200, 211, 224, 228, 233, 239, 243, 266, 281, 284, 290, 298, 318; **44**: Sup. N., '12, 73; **48**: 141, 185, 191; **50**: 10-20, 31, 33, 39, 245, 258; **55**: 14, 66, 97-9, 185-93, 196, 240-2; **57**: 147-8; **59**: 252, 265-7; **63**: 173, 177-9, 182, 184-6, 196, 213-14, 222-3, 231; accounting, **63**: 224; Austrian, **1**: 344-9, 462-8; brotherhoods, **44**: 15; Chicago, **18**: 371; coastwise shipping, **55**: 190-2; competition, **57**: 107; **59**: 264-5; consolidation, **15**: Sup. M., '00, 139; convict labor, **46**: 25; crossings, **53**: 44; education, **28**: 124-9; electrification, **29**: 266-74; employees, **14**: 100; **38**: 45-56; facilities, **50**: 156; fares, **1**: 103; federal regulation, **63**: 191-8; food distribution, **50**: 10; Germany, **4**: Sup. S., '93, 45-6; governmental regulation, **32**: 120; Hungarian, **1**: 109; interstate, **63**: 213; Interstate Commerce Commission, **55**: 34; **63**: 155-72; national regulation, **26**: 629-41; **36**: 613-28; **63**: 191-8; negro, **49**: 36; New York, **11**: 421; Pennsylvania, **4**: Sup. S., '93; **17**: 566; **42**: 79, 87; **50**: 14-17; Pennsylvania and New York City Tunnel, **29**: 245; pensions, **33**: 258; Philippine Islands, **30**: 52-61; Prussia, **1**: 510; **3**: 78; **10**: 389-423; **11**: 324; **29**: 310-22; rates, **4**: Sup. S., '93, 56-7, 61; **11**: 333, 346, 348; regulation, **26**: 629; **57**: 147-8; rivers, **31**: 142, 189, 195; Roumania, **1**: 510; socialization, **44**: Sup. N., '12, 73; south, **35**: 99; state, **4**: Sup. S., '93, 70-2, 97, 105, 109; state regulation, **63**: 191-8; tariffs, **1**: 103-31; taxation, **14**: 153; **58**: 61; Texas, **53**: 166; traffic agreements, **55**: 185; transportation, **6**: 469-77; valuation, **57**: 107; **58**: 61; waterfronts, **51**: 222, 255; **55**: 240-2; waterways, **4**: Sup. S., '93, 23-4, 64, 69-70, 72. See Railways, Transportation.
- Railroads, THE ACCOUNTING SYSTEM PRESCRIBED FOR, BY THE INTERSTATE COMMERCE COMMISSION, **63**: 222-31.
- Railroad Administration, Prussian, **29**: 310-22.
- Railroads, ADMINISTRATION OF PRUSSIAN, **10**: 389-423.
- Railroad Commission of California, **6**: 469-77.
- Railroad Consolidation, THE INTEREST OF LABOR IN THE ECONOMICS OF, **15**: Sup. M., '00, 137-49.
- Railway Bonds, ELECTRIC INTERURBAN, AS INVESTMENTS, **30**: 336-49.
- Railroads, THE ELECTRIFICATION OF AMERICAN, **29**: 266-74.
- Railroad Employees, DISABILITY AND DEATH COMPENSATION FOR, **38**: 45-56.
- Railroads, FEDERAL VALUATION OF THE, IN THE UNITED STATES, **63**: 182-90.
- Railroads. THE PRESENT SUPPLY OF FREIGHT CARS, **34**: 592-600.
- RAILROADS, AN ARGUMENT AGAINST GOVERNMENT, IN UNITED STATES, **29**: 342-51.
- RAILROADS, GOVERNMENT OWNERSHIP OF, **19**: 61-73.
- RAILROADS, THE TREND OF GOVERNMENTAL REGULATION OF, **32**: 120-4.
- RAILROADS AND INDUSTRIAL DEVELOPMENT, SOUTHERN, **35**: 99-104.
- RAILROAD, THE PLACE OF THE INTERSTATE, IN REDUCING FOOD DISTRIBUTION, **50**: 10-19.
- RAILROADS, THE INTERSTATE COMMERCE COMMISSION AND THE, **63**: 155-72.
- RAILROADS. HOW THE STATES MAKE INTERSTATE RATES, **32**: 102-19.
- RAILROADS. THE NATION SHOULD SUPERINTEND ALL CARRIERS, **32**: 218-24.
- RAILROADS, LIMITATIONS UPON NATIONAL REGULATION OF, **26**: 629-41.
- RAILROADS, NATIONAL REGULATION OF, **26**: 613-28.
- RAILROAD PASSENGER FARES IN HUNGARY, **1**: 103-31.
- RAILROAD PASSENGER TARIFFS IN AUSTRIA, **1**: 462-8.
- RAILROADS. THE ECONOMIC NECESSITY FOR THE PENNSYLVANIA RAILROAD TUNNEL EXTENSION INTO NEW YORK CITY, **29**: 245-59.
- RAILROADS IN THE PHILIPPINE ISLANDS, **30**: 52-61.
- RAILROAD POOLING, **8**: 127-47.
- RAILROAD RATE CASES, DO "COST OF TRANSPORTATION" EXHIBITS IN, SHOW COST? **63**: 214-21.
- RAILROADS, THE REORGANIZATION OF, **17**: 205-43.
- RAILROAD REGULATION BY THE STATES, FIVE YEARS OF, **32**: 138-56.
- RAILROADS, THE CONFLICT BETWEEN STATE AND FEDERAL REGULATION OF, **63**: 191-8.
- RAILROADS, SOUTHERN, AND INDUSTRIAL DEVELOPMENT, **35**: 99-104.
- RAILROAD STOCKS AS INVESTMENTS, **35**: 646-56.
- RAILROADS, TRAFFIC AGREEMENTS BETWEEN STEAMSHIP LINES AND AMERICAN, **55**: 185-93.
- RAILROAD WORK, THE DESIRABILITY OF A COLLEGE EDUCATION FOR, **28**: 124-9.
- RAILROAD ZONE-TARIFF SYSTEM IN AUSTRIA, **1**: 344-9.
- Railways: **3**: 641; **4**: Sup. S., '93, 25-31; **9**: 107-16; **11**: 189, 421; **15**: 41-50, 355-80; **19**: 89; **23**: 46-8, 121-40; **32**: 97; **44**: 1; **50**: 43; **51**: 161, 204; **59**: 274-7, 279-80; **63**: 155-8, 160-7, 174, 207-9, 211-12; Africa, **23**: 121-40; Australia, **12**: 197; **23**: 121-40; Belgium, **19**: 108-13; Buffalo, **22**: 528; Canada, **1**: 16; capitalization, **5**: 348; Chicago, **20**: 356-69; China, **39**: 48, 93, 155; competition, **8**: 131; **11**: 331; electric, **53**: 163; elevated, **51**: 171-204; employees, **6**: 424-68; England, **4**: Sup. S., '93, 26, 28; fares, **11**: 324-52; foreign, **23**: 121-40; France, **11**: 325; **23**: 121-40; **59**: 273-4; Germany, **59**: 273-4; Great Britain, **23**: 121-40; Italy, **23**: 121-40; Massachusetts, **14**: 382; Mexico, **22**: 531-2; New South Wales, **22**: 386; New York, **11**: 421; Nicaragua Canal, **7**: 47; Omaha, **7**: 144; Pacific, **8**: 259-303; Providence, **22**: 384-5; Prussian, **10**: 389-423; **23**: 121-40; **29**:

- 323-41; rates, **11**: 324-52; **59**: 272-4; **63**: 162; regulation, **63**: 155-6; revenues, **4**: Sup. S., '93, 62-72; securities, **63**: 166-7; Sherman law, **63**: 160; South America, **27**: Sup. M., '06, 19; St. Louis, **22**: 527; suspended, **51**: 161; Switzerland, **13**: 143-72, 291-322; taxation, **15**: 356, 359; Texas, **32**: 225-34. *See* Railroads, Street railways, Transportation.
- RAILWAY ADMINISTRATION, ADVISORY COUNCILS IN, **19**: 74-88.
- RAILWAY ADMINISTRATION, PRUSSIAN, **29**: 310-22.
- RAILWAYS IN BELGIUM, THE NATIONAL COMPANY OF LIGHT, **19**: 108-13.
- RAILWAY SITUATION IN CHICAGO, THE PRESENT STREET, **20**: 356-69.
- RAILWAY COMMISSION OF CALIFORNIA, THE, **6**: 469-87.
- RAILWAY COMPANY, THE RELATIONS OF THE ELECTRIC, WITH ITS EMPLOYEES, **37**: 88-92.
- RAILWAY CONTROL, THE CONCENTRATION OF, **19**: 89-107.
- RAILWAY DEBTS, PACIFIC, **5**: 684-704.
- RAILWAY DEPARTMENTS FOR THE RELIEF AND INSURANCE OF EMPLOYEES, **6**: 424-68.
- RAILWAY DISCRIMINATIONS AND INDUSTRIAL COMBINATIONS, **15**: 41-50.
- RAILWAY EVENTS IN 1902-3, FOREIGN, **23**: 121-40.
- RAILWAY FRANCHISES IN MASSACHUSETTS, STREET, **27**: 91-110.
- RAILWAY, INDUSTRIAL SERVICES OF THE, **5**: 897-914.
- RAILWAYS. INTERSTATE RATES, HOW THE STATES MAKE, **32**: 102-19.
- RAILWAYS, RESULT OF FURTHER LEGISLATIVE REGULATION OF ELECTRIC, **31**: 695-700.
- RAILWAYS, THE NATION AND THE, **32**: 125-37.
- RAILWAYS IN PHILADELPHIA SINCE 1900, STREET, **24**: 354-60.
- RAILWAY PROBLEMS, EDUCATING THE PUBLIC TO A PROPER APPRECIATION OF URBAN STREET, **37**: 104-9.
- RAILWAY PROPERTY, VALUATION OF INTANGIBLE STREET, **37**: 119-41.
- RAILWAYS, THE PUBLIC AND THE, **32**: 97-101.
- RAILWAY RATES, REASONABLE, **5**: 335-60.
- RAILWAY RATES AND FARES, CAUSES AFFECTING, **11**: 324-52.
- RAILWAY, THE REGULATION AND NATIONALIZATION OF THE SWISS, I, **13**: 143-290.
- RAILWAY, THE REGULATION AND NATIONALIZATION OF THE SWISS, II, **13**: 291-211.
- RAILWAY REGULATION IN TEXAS, **32**: 225-34.
- RAILWAY SERVICE, SUPERVISING ENGINEERS AND STREET, **37**: 191-202.
- RAILWAYS, DISTRIBUTION OF STOCKHOLDING IN AMERICAN, **22**: 475-90.
- RAILWAY STOCKS, ELECTRIC, **35**: 657-73.
- RAILWAYS, THE STRIKE PROBLEM UPON ELECTRIC, **37**: 93-103.
- RAILWAY AND TRAFFIC PROBLEMS, **29**: Mch., '07.
- RAILWAY TRAFFIC, TRANSPORTATION FACILITIES AND STREET, IN LONDON, **27**: 66-71.
- RAILWAY TRANSPORTATION, PUBLIC REGULATION OF STREET, **29**: 275-91.
- RAILWAY, THE UNION PACIFIC, **8**: 259-303.
- RAILWAYS IN WISCONSIN, STATE SUPERVISION OF ELECTRIC, **37**: 150-69.
- "RAINES LAW HOTELS," SUPPRESSION OF THE, **32**: 556-66.
- RALSTON, JACKSON H. Use and Abuse of Injunctions in Trade Disputes, **36**: 89-103, 118.
- v. Ranke, L., **1**: Sup. Mch., '91, 26.
- RANSDALL, JOSEPH E. Legislative Program Congress Should Adopt for Improvement of American Waterways, **31**: 36-47.
- Rapid transit: Boston, **16**: 320; facilities, **57**: 29-30; franchise, **14**: 324; New York, **8**: 407; **12**: 146; **13**: 409; **14**: 268; **15**: 471; Philadelphia, **31**: 600-11; **57**: 28. *See* Street railways, Transportation.
- RAPID TRANSIT COMPANY, PHILADELPHIA'S RELATION TO, **31**: 600-11.
- RAPPARD, WILLIAM E. The Initiative, Referendum and Recall in Switzerland, **43**: 110-45.
- Rates: **9**: 111; **24**: 361; **32**: 102; **35**: 105-13; **50**: 16; **53**: 11-16, 39, 42, 47, 49, 66, 96, 100, 107, 109-10, 112, 152, 238, 239, 242, 252-3, 262, 297; **55**: 51, 80, 129, 134-6, 152, 171-80, 183, 194, 198-204, 206-21, 235, 245, 251; **57**: 34, 75-8, 80-1, 90, 114-15, 131-2, 134, 136, 144, 156, 204, 248-9, 309, 320-1; **63**: 161-2, 169-70; adjustments, **55**: 212-24; **57**: 144; cable, **45**: 39; California, **53**: 226; carriers, **55**: 155; coal, **55**: 230; competition, **55**: 2; **57**: 88; **63**: 162; cut, **35**: 105; Detroit, **57**: 79; discounts, **63**: 137; electric, **53**: 238-50, 285-91; **57**: 77-80, 212, 219, 238-41; fire insurance, **26**: 391; freight, **11**: 324; **15**: 43; **45**: 42-3; government ownership, **29**: 343; interstate, **32**: 102-19; **55**: 27-30; lighting, **57**: 33-4, 42, 220-1; Los Angeles, **53**: 108-10, 112; municipal, **57**: 168; New Jersey, **53**: 226-7; New York City, **41**: 72; North Dakota, **53**: 61; ocean, **55**: 194; Ohio, **53**: 18; passenger, **1**: 510; prison labor, **46**: 58-60; Prussia, **10**: 389; **29**: 323-41; public service, **57**: 187; railroads, **1**: 345, 466; **11**: 324; **55**: 14; **63**: 196, 214; railways, **5**: 340, 342, 359; **24**: 536-8; **59**: 272-4; **63**: 162; regulation, **53**: 62; **55**: 224-5; **57**: 26, 43-4, 144, 167; schedules, **53**: 15; South Dakota, **53**: 62; street railway, **57**: 80-1; telephones, **53**: 67, 73, 113; trolley, **37**: 182; unearned increment, **53**: 232; uniform, **55**: 158; utilities, **53**: 16; **57**: 111; water, **50**: 4; **55**: 205-31; Wisconsin, **53**: 104.
- Rate agreements, **55**: 156-7.
- of return, **53**: 173, 175, 177, 197; **57**: 156.
- RATE AGREEMENTS BETWEEN CARRIERS IN THE FOREIGN TRADE, **55**: 155-63.
- RATE CASES, CERTAIN PRINCIPLES OF VALUATION IN, **53**: 182-97.
- RATE CONTROL UNDER THE AMENDED INTERSTATE COMMERCE ACT, **29**: 292-309.
- RATES AND FARES, CAUSES AFFECTING RAILWAY, **11**: 324-52.
- RATES, ELECTRIC LIGHTING AND POWER, **53**: 238-50.
- RATES AND METHODS, FIRE INSURANCE, **22**: 413-26.
- RATES AND SCHEDULE RATING, FIRE INSURANCE, **26**: 391-21.
- RATES, HOW THE STATES MAKE INTERSTATE, **32**: 102-19.

- RATE MAKING, PRUSSIAN RAILWAY, AND ITS RESULTS, 29: 323-41.**
- RATE-MAKING PURPOSES, RECENT TENDENCIES IN VALUATIONS FOR, 53: 219-37.**
- RATE MAKING IN DOMESTIC WATER TRANSPORTATION, 55: 205-31.**
- RATES, MUNICIPAL LIGHTING, 57: 33-44.**
- RATES, AGREEMENTS AND CONFERENCES IN THEIR RELATION TO OCEAN, 55: 194-204.**
- RATES, PUBLIC OWNERSHIP AND LOW, 24: 361-63.**
- RATES, REASONABLE RAILWAY, 5: 335-60.**
- RATE OF RETURN, 53: 172-7.**
- RATES ON HARDWARE, TARIFF, 32: 290-4.**
- RATES, WHAT OUGHT THE TARIFF, TO BE ON IRON AND STEEL MANUFACTURES? 32: 284-9.**
- RATES, WHAT OUGHT THE TARIFF, TO BE ON PAPER AND PULP? 32: 300-9.**
- RATES, LOWER TELEPHONE, FOR NEW YORK CITY, 53: 66-70.**
- RATES, ELEMENTS TO BE CONSIDERED IN FIXING WATER, 53: 251-61.**
- Rationalism, 44: Sup. N., '12, 3.**
- Rau, K. H., 4: Sup. Mch., '94, 34, 38, 41, 52-3, 120, 122-3.**
- Reading Railroad, 4: Sup. S., '93, 8, 78.**
- Real estate: 51: 39; 58: 158, 163, 168-9, 177-8, 189, 191-2, 202, 207-10; 62: 129.**
- REAL ESTATE BONDS AS AN INVESTMENT SECURITY, 30: 350-73.**
- REAL ESTATE, ASSESSED VS. REAL VALUES OF, IN PENNSYLVANIA, 58: 158-67.**
- REAL ESTATE PROBLEM, HOUSING AND THE, 51: 132-9.**
- REAL ESTATE AS SECURITY FOR LOANS, 25: 51-60.**
- REAL ESTATE VALUES, TAXATION OF, AND ITS EFFECT ON HOUSING, 51: 34-40.**
- Reassessment, 58: 207. See Assessment, Taxation.**
- REASSESSMENT, ANNUAL, VERSUS THE UNEARNED INCREMENT TAX, 58: 202-13.**
- REBATE SYSTEMS, DEFERRED, 55: 164-7.**
- Recall: 38: 833; 43: 3-16, 19-20, 23-6, 30, 37, 65-77, 104, 110-45, 177, 216-19, 222, 225, 227-36, 239, 262-6, 268, 271-2, 311-12, 319, 321, 323; 52: 24, 26, 77, 81; commission government, 38: 872; county officers, 47: 22; decisions, 52: 14-15, 18-19, 21-2, 24-5, 27, 33, 36; direct legislation, 43: 65-77; Great Britain, 43: 75; Illinois, 38: 752; initiative and referendum, 43: 3, 17; judges, 52: 77; judicial, 43: 274-5, 278-85, 311-25; Kansas, 38: 722; Los Angeles, 47: 235; Maine, 43: 177; New Jersey, 38: 776; objections, 38: 898; Seattle, 43: 227-36; Switzerland, 43: 110-45. See Judicial recall.**
- RECALL OF DECISIONS, THE, 52: 13-24.**
- RECALL OF DECISIONS, CONSTITUTIONAL GROWTH THROUGH, 52: 25-36.**
- RECALL, DIRECT LEGISLATION AND THE, 43: 65-80.**
- RECALL, INITIATIVE, REFERENDUM AND, Vol. 43.**
- RECALL, FUNCTIONS OF THE INITIATIVE, REFERENDUM AND, 43: 3-16.**
- RECALL, THE INITIATIVE, REFERENDUM AND, 43: 17-31.**
- RECALL, THE INITIATIVE, REFERENDUM AND, IN SWITZERLAND, 43: 110-45.**
- RECALL, THE JUDICIAL—A FALLACY REPUGNANT TO CONSTITUTIONAL GOVERNMENT, 43: 239-77.**
- RECALL OF THE JUDICIARY, DANGERS THAT LURK IN THE, 43: 278-85.**
- RECALL, POPULAR CONTROL UNDER THE, 38: 833-8.**
- RECALL, THE WORKING OF THE, IN SEATTLE, 43: 227-36.**
- RECALL, THE—ITS PROVISIONS AND SIGNIFICANCE, 43: 216-26.**
- Reciprocity: 19: 185-203; 23: 55-83; 29: 454, 462, 466-9, 478, 506, 510, 511; 32: 310-14, 322, 324-408; 45: 65; Canada, 32: 342; Cuba, 22: 129-47; Europe, 29: 45; foreign trade, 32: 310-14; Hawaii, 25: 55-83; Spain, 22: 134. See Commerce, Foreign trade, Trade.**
- RECIPROCITY, 45: 20-8.**
- RECIPROCITY IN THE AMERICAN TARIFF SYSTEM, 23: 55-83.**
- RECIPROCITY WITH CONTINENTAL EUROPE, 29: 450-5.**
- RECIPROCITY WITH CUBA, 22: 129-47.**
- RECIPROCITY IN OUR FOREIGN TRADE RELATIONS, 32: 310-14.**
- RECIPROCITY AND ITS RELATION TO FOREIGN TRADE, 29: 466-9.**
- RECIPROCITY, THE MANUFACTURER'S NEED OF, 19: 185-203.**
- RECIPROCITY AND THE MIDDLE WEST, 29: 462-5.**
- RECIPROCITY POLICY, A BRIEF HISTORY OF THE, 29: 456-61.**
- Reclamation, see Irrigation.**
- RECLAMATION, WHAT MAY BE ACCOMPLISHED BY, 33: 658-63.**
- RECLAMATION OF ARID WEST BY FEDERAL GOVERNMENT, 31: 203-18.**
- RECLAMATION AND DRAINAGE, 35: 77-80.**
- RECLAMATION OF LANDS, THE LEGAL PROBLEMS OF, BY MEANS OF IRRIGATION, 33: 664-76.**
- Recreation: 3: 278; 23: 464-5; 34: 32; 35: 304-21, 325, 350-68, 382-5, 401-8, 436-40; 35: Sup. Mch., '10, 68; 37: Sup. M., '11, 85-90; 40: 39-47, 175-90; 41: 272; 51: 210; 62: 140-3; Boston, 16: 220; Chicago, 35: 304-21; Detroit, 62: 140; forests, 35: 241-7; Los Angeles, 35: 426-35; playgrounds, 34: 33-42; Providence, 21: 485; rural, 40: 146. See Parks, Playgrounds.**
- RECREATION. THE APPALACHIAN MOUNTAIN CLUB, 35: 393-400.**
- RECREATIVE CENTERS OF LOS ANGELES, CALIFORNIA, 35: 426-35.**
- RECREATION, CITY PLANNING AND THE PROBLEM OF, 51: 208-15.**
- RECREATION DEVELOPMENTS IN CHICAGO PARKS, 35: 304-21.**
- RECREATION FACILITIES, PUBLIC, 35: Mch., '10.**
- RECREATION FACILITIES, EDUCATIONAL VALUE OF PUBLIC, 35: 350-6.**
- RECREATION FACILITIES AND THE IMMIGRANT, OUR, 35: 357-67.**
- RECREATION FACILITIES, THE PARKS AND, IN THE UNITED STATES, 35: 217-28.**
- RECREATION FACILITIES, THE UNUSED ASSETS OF OUR PUBLIC, 35: 382-5.**



- RECREATIONAL FACILITIES, UNIT COSTS IN, **62**: 140-7.
- RECREATION. THE FIELD AND FOREST CLUB OF BOSTON, **35**: 409-19.
- RECREATION GROUNDS, NATIONAL FORESTS AS, **35**: 241-7.
- RECREATION. THE "HEIDE PARK" OF THE SOCIETY FOR THE ADVANCEMENT OF THE COMMONWEALTH IN DRESDEN, **35**: 441-8.
- RECREATION AND PUBLIC MORALITY, POPULAR, **34**: 32-42.
- RECREATION, A SOCIALIZING FACTOR, RURAL, **40**: 175-90.
- RECREATION. THE SIERRA CLUB, **35**: 420-5.
- RECREATION. THE SOUTHERN APPALACHIAN PARK RESERVE AS A NATIONAL PLAYGROUND, **35**: 401-8.
- Red Cross, **38**: 90-3. *See* Accidents, Safety.
- RED CROSS MEASURES FOR THE PREVENTION OF DISASTERS, **38**: 90-3.
- Redern, Count, **4**: Sup. Mch., '94, 71.
- REDFIELD, WILLIAM C. America's International Trade as Affected by the European War, **60**: 1-16.
- REED, CHESTER A. Peaceable Boycotting, **5**: 28-47.
- REED, HENRY S. Financing the Cotton Crop, **35**: 16-24.
- REEVE, C. H. Preventive Legislation in Relation to Crime, **3**: 223-34.
- Referendum: **4**: 452; **6**: 52, 365; **7**: 110; **11**: 180; **29**: Sup. Mch., '07, 6-7, 14, 18, 20, 25, 51, 86-9; **41**: 282; **43**: 3, 8, 11-13, 19-20, 23-4, 28, 30, 37, 69-71, 73, 83-7, 89, 91, 94-9, 101, 104-5, 108, 110-78, 186, 191, 209, 214, 283-4; California, **13**: 131; Great Britain, **43**: 69; judicial, **43**: 283-4; Michigan, **43**: 155-7; municipal, **2**: 339; **8**: 199; New Mexico, **43**: 86-104; South Dakota, **43**: 89; Switzerland, **12**: 324; **43**: 134. *See* Democracy, Direct legislation, Initiative.
- REFERENDUM, LAW MAKING BY POPULAR VOTE OR THE AMERICAN, **2**: 324-44.
- REFERENDUM AND RECALL, INITIATIVE, Vol. **43**.
- REFERENDUM AND RECALL, THE INITIATIVE, **43**: 17-31.
- REFERENDUM, THE INITIATIVE AND, IN COMMISSION CITIES, **38**: 823-32.
- REFERENDUM AND RECALL, FUNCTIONS OF THE INITIATIVE, **43**: 3-16.
- REFERENDUM, MAINE'S EXPERIENCE WITH THE INITIATIVE AND, **43**: 159-78.
- REFERENDUM AND INITIATIVE IN MICHIGAN, THE, **43**: 146-58.
- REFERENDUM AMENDMENTS, THE INITIATIVE AND, IN THE PROPOSED OHIO CONSTITUTION, **43**: 191-202.
- REFERENDUM, SOME CONSIDERATIONS UPON THE STATE-WIDE INITIATIVE AND, **43**: 203-15.
- REFERENDUM, PROVISIONS FOR STATE-WIDE INITIATIVE AND, **43**: 81-109.
- REFERENDUM AND RECALL IN SWITZERLAND, THE INITIATIVE, **43**: 110-45.
- REFERENDUM, THE WISCONSIN PLAN FOR THE INITIATIVE AND, **43**: 179-90.
- Reform, **3**: 9; **4**: 620; **4**: Sup. Mch., '94, 130; **5**: 803; **6**: 170, 333, 532, 554-5, 565; **14**: 31; **27**: 400-15; **41**: 346.
- REFORM, FOREIGN EXPERIENCE A GUIDE TO CURRENCY, **31**: 367-71.
- REFORM, THE OBSTACLES TO CURRENCY, **31**: 454-9.
- REFORM, HOUSING, THROUGH LEGISLATION, **51**: 68-77.
- REFORM OF THE INDIVIDUAL, THE, **46**: 61-5.
- REFORM THROUGH LABOR, **46**: 35-9.
- REFORM MOVEMENTS, THE BASIS OF PRESENT, **21**: 238-51.
- REFORM MOVEMENT IN CHICAGO, THE, **25**: 235-47.
- REFORM MOVEMENT, SIGNIFICANCE OF THE RECENT, IN PHILADELPHIA, **27**: 180-90.
- REFORM MOVEMENT, SOME SOCIAL EFFECTS OF A, **28**: 405-10.
- REFORM, MUNICIPAL NOMINATION, **25**: 203-17.
- REFORM. NATIONALIZATION OF MUNICIPAL MOVEMENTS, **21**: 252-60.
- REFORM ORGANIZATIONS, A SYMPOSIUM ON, **27**: 400-15.
- REFORM, PRINCIPLES OF, IN PENAL LAW, **21**: 419-25.
- REFORM, PRISON LABOR, IN NEW JERSEY, **46**: 154-60.
- REFORM, PUBLICITY AND, IN BUSINESS, **28**: 143-54.
- REFORM, THE VALUE OF PUBLICITY IN, **29**: 87-92.
- REFORM, THE RESULTS OF, **21**: 221-37.
- REFORM, RECENT PROGRESS IN TENEMENT-HOUSE, **23**: 297-310.
- REFORM, THE MINIMUM WAGE AS A PART OF A PROGRAM FOR SOCIAL, **48**: 3-12.
- Réforme sociale en France*, **4**: Sup. Mch., '94, 130.
- REFORMS, ELECTION: THE TREND TOWARD DEMOCRACY, **28**: 411-41.
- REFORMS, ELECTION METHODS AND, IN PHILADELPHIA, **17**: 181-204.
- Reform schools, *see* Reformatories.
- Reformatories, **20**: 455; **21**: 330-1; **22**: 540; **23**: 563-5; **38**: Sup. Jy., '11, 105-7; **46**: 70; **52**: 90. *See* Prisons.
- REFORMATORY, THE WORKHOUSE AS A, **46**: 99-104.
- REFRESHMENTS IN PARKS, MUSIC AND, **35**: 386-92.
- Refrigeration, **48**: 163; **50**: 6, 14, 44, 48, 64, 66; **50**: 2. *See* Cold storage.
- REFRIGERATION, SOME ASPECTS OF FOOD CONSERVATION BY, **50**: 44-7.
- REFRIGERATION, PREVENTION OF WASTE AND SEASONAL PRICE FLUCTUATIONS THROUGH, **50**: 48-56.
- Registration, **2**: 743; **9**: 243; **29**: Sup. Mch., '87, 26-7.
- Regulation: **4**: Sup. S., '93, 54, 57-61; **15**: Sup. M., '00, 61; **32**: 235, 240; **42**: 83, 98, 107, 109, 113-5, 144-5, 184, 186, 190, 235, 236, 305; **53**: 94-107, 262-8, 292; **57**: 9, 20, 23-4, 25, 56-7, 64, 70-1, 83, 94-110, 123, 128-9, 137, 140-1, 144, 147-9, 152, 181, 286; **59**: 214, 219, 221; **63**: 155-6, 158-9, 165-6, 170-4, 213, 257; corporations, **32**: 30-3; foods, **50**: 122; investigation, **11**: 225; local, **53**: 86, 88; **57**: 24-5, 127, 163-9; Pennsylvania, **57**: 175-85; prices, **57**: 96; private utilities, **57**: 111; public service corporations, **63**: 225-56; public utilities,



- 57: 20, 21, 119, 180, 183-4; telephones, 53: 67; utilities, 57: 95-6, 163-4; valuation, 53: 97.
- REGULATION, WHAT IT MUST ACCOMPLISH IF IT IS TO BE PERMANENT, 57: 94-110.
- REGULATION OF BIG BUSINESS, GOVERNMENT, IN THE FUTURE, 42: 238-45.
- REGULATION, NO COMBINATION WITHOUT, 32: 240-60.
- REGULATION, CORPORATE—AN ADMINISTRATIVE OFFICE, 42: 284-8.
- REGULATION BY STATE AND NATION, CORPORATION, 32: 235-9.
- REGULATION OF FOREIGN COMMERCE BY THE INTERSTATE COMMERCE COMMISSION, 32: 157-84.
- REGULATION OF GAS SERVICE, SOME NOTES ON THE, 53: 278-84.
- REGULATION OF SPECULATION, GOVERNMENTAL, 38: 444-72.
- REGULATION OF INDUSTRY, ATTITUDE OF LABOR TOWARDS GOVERNMENT, 32: 75-81.
- REGULATION OF INSURANCE, FEDERAL SUPERVISION AND, 26: 681-707.
- REGULATION OF THE LIQUOR TRAFFIC, 32: N., '08.
- REGULATION OF THE LIQUOR TRAFFIC, THE ATTITUDE OF THE DISTILLERS AND WHOLESALE LIQUOR DEALERS ON THE, 32: 539-44.
- REGULATION, THE DISTRIBUTION OF FUNCTIONS BETWEEN LOCAL AND STATE, 57: 163-9.
- REGULATION, LOCAL, STATE VERSUS, 53: 94-107.
- REGULATION, LOCAL, STATE AND, IN PENNSYLVANIA, 57: 175-85.
- REGULATION OF MUNICIPAL UTILITIES, THE, 57: 20-7.
- REGULATION, THE FRUITS OF PUBLIC, IN NEW YORK, 37: 170-90.
- REGULATION, ACCOUNTING IN PUBLIC SERVICE, 53: 128-34.
- REGULATION OF OCEAN AND INLAND WATER TRANSPORTATION BY THE FEDERAL GOVERNMENT, 55: 17-47.
- REGULATION OF PRIVATE FORESTS, PUBLIC, 33: 497-509.
- REGULATION OF PUBLIC UTILITIES, THE, 57: 54-61.
- REGULATION OF PUBLIC UTILITIES, COMMISSION: A SURVEY OF LEGISLATION, 53: 1-18.
- REGULATION, SOME PRESENT DAY ISSUES OF PUBLIC UTILITY, 57: 62-71.
- REGULATION OF RAILROADS, THE CONFLICT BETWEEN STATE AND FEDERAL, 63: 191-8.
- REGULATION OF RAILROADS, THE TREND OF GOVERNMENTAL, 32: 120-4.
- REGULATION OF RAILROADS, LIMITATIONS UPON NATIONAL, 26: 629-41.
- REGULATION OF RAILROADS, NATIONAL, 26: 613-28.
- REGULATION BY THE STATES, FIVE YEARS OF RAILROAD, 32: 138-56.
- REGULATION IN NEW YORK, PUBLIC UTILITIES, 31: 535-51.
- REGULATION IN TEXAS, RAILWAY, 32: 225-34.
- REGULATION, THE ADVANTAGES OF STATE, 57: 123-62.
- REGULATION, WHAT CERTAIN CITIES HAVE ACCOMPLISHED WITHOUT STATE, 57: 72-82.
- REGULATION, EFFECTS OF THE INDETERMINATE FRANCHISE UNDER STATE, 53: 135-47.
- REGULATION, EFFECTS OF STATE, UPON THE MUNICIPAL OWNERSHIP MOVEMENT, 53: 71-84.
- REGULATION, CONSTITUTIONAL DIFFICULTIES OF TRUST, 26: 656-64.
- REGULATION OF UTILITIES, THE TRUTH ABOUT STATE, IN WISCONSIN, 54: 303-20.
- REICHMANN, FRITZ. Efficient Supervision of Weights and Measures, 41: 213-17; Savings through Proper Supervision of Weights, Measures and Standards, 50: 94-101.
- REINSCH, PAUL S. Cultural Factors in the Chinese Crisis, 16: 435-45; The Fourth Pan-American Conference, 37: 594-601.
- REINSTATEMENT, LAPSE AND, 26: 269-82.
- REITZEL, CHARLES ERVIN. Industrial Output and Social Efficiency, 59: 125-32.
- Relief, 6: 349, 424-68; 38: 35; 49: 87.
- RELIEF AND INSURANCE OF EMPLOYEES, RAILWAY DEPARTMENTS FOR THE, 6: 424-68.
- RELIEF PLAN OF UNITED STATES STEEL CORPORATION, RESULTS OF VOLUNTARY, 38: 35-44.
- RELIEF POLICY, THE ESSENTIALS OF A, 21: 343-62.
- RELIEF WORK IN THE WELLS MEMORIAL INSTITUTE, 5: 377-97.
- Religion, 3: 686; 29: Sup. Mch., '07, 9, 62-8; 30: 485, 490-5; 40: 98.
- RELIGION'S REPLY TO ECONOMICS, 41: 313-16.
- RELIGIOUS WORK, EFFICIENCY IN, 30: 539-44.
- RELIGIOUS VALUE OF PROPER HOUSING, 51: 41-7.
- RELIGIOUS CONDITIONS, CHURCHES AND, OF THE NEGRO, 49: 120-8.
- RELIGION, THE SETTLEMENT'S RELATION TO, 30: 490-5.
- REMSEN, D. S. The Fusion of Political Parties, 8: 32-49.
- Renan, Ernest, 4: Sup. Mch., '94, 100.
- Renewals, 63: 226-7.
- Rent, 2: 203, 629; 5: 90, 409; 6: 88; 9: 100; 12: 98-102; 37: Sup. M., '11, 49-64; 44: Sup. N., '12, 34, 38, 43, 45, 51, 55, 60; 48: 244-6; 49: 44; 51: 17, 19, 59-63. See Land.
- RENTS AND CONGESTION, 51: 59-67.
- RENT AND PROFIT, 5: 90-103.
- "RENT," CLARK'S USE OF, AND "PROFITS," 5: 409-11.
- RENT, SOME ASPECTS OF THE THEORY OF, 12: 98-103.
- Reporting, 41: 19, 79, 120, 286.
- REPORTING, THE APPLICATION TO A MUNICIPALITY OF MODERN METHODS OF ACCOUNTING AND, 41: 64-8.
- REPORTING, A NATIONAL FUND FOR PROMOTING EFFICIENT MUNICIPAL ACCOUNTING AND, 41: 304-6.
- Representation, 4: 448-53; 9: 1-41; 11: 142; 29: Sup. Mch., '07, 9, 44-5; 43: 9, 24, 26, 27, 32, 33; 53: 89.
- REPRESENTATION IN NEW ENGLAND LEGISLATURES, 6: 254-67.
- REPRESENTATION IN THE LEGISLATURES OF THE NORTH CENTRAL STATES, 15: 405-25.

- REPRESENTATION, PROPORTIONAL, **2**: 700-7.  
 REPRESENTATION, AN EARLY ESSAY ON PROPORTIONAL, **7**: 233-52.  
 REPRESENTATION, PROPORTIONAL, AND THE DEBATES UPON THE ELECTORAL QUESTION IN BELGIUM, **15**: 381-404.  
 REPRESENTATION CONGRESS, PORPORTIONAL, **4**: 448-52.  
 REPRESENTATION, THE SOCIAL BASIS OF PROPORTIONAL, **6**: 381-96.  
 REPRESENTATIVE IN CONGRESS, THE POSITION OF THE AMERICAN, **6**: 117-24.  
 REPRESENTATION IN STATE LEGISLATURES, **15**: 204-35.  
 REPRESENTATION IN STATE LEGISLATURES—THE SOUTHERN STATES, **16**: 93-119.  
 REPRESENTATION IN STATE LEGISLATURES—IN THE WESTERN STATES, **16**: 243-72.  
 REPRESENTATIVES, THE FIRST APPORTIONMENT OF FEDERAL, IN THE UNITED STATES, **9**: 1-41.  
 Reproduction, **53**: 40, 103, 184, 217, 218, 221, 224, 225, 237, 238; **58**: 141.  
 REPUBLICAN GOVERNMENT IN CHINA, **39**: 26-38.  
 REQUA, M. L. The Government of Alameda County, California, **47**: 237-47.  
 Research, **27**: 451-8; **37**: Sup. M., '11, 4-15; **41**: 239; **52**: 107; **59**: 40-50, 86-90, 93; **60**: 10; **63**: 278.  
 RESEARCH AS A MEANS OF INCREASING AGRICULTURAL PRODUCTION, THE IMPORTANCE OF, **59**: 40-50.  
 RESEARCH, THE CINCINNATI BUREAU OF MUNICIPAL, **41**: 262-9.  
 RESEARCH, THE RELATION OF, TO THE PROGRESS OF MANUFACTURING INDUSTRIES, **59**: 86-95.  
 RESEARCH BY THE PUBLIC HEALTH SERVICE, SCIENTIFIC, **37**: 270-304.  
 RESERVATIONS, OUR NATIONAL PARKS AND, **35**: 231-40.  
 Reserves, **41**: 67; **63**: 149, 151. See Banking, Banks, Federal Reserve Bank.  
 RESERVES, TRUST COMPANIES AND, **31**: 463-9.  
 Resources, **26**: 8; **31**: 8, 219-27; **32**: 348, 355; **33**: 686; **41**: 226; **59**: 1-28, 34, 330-1. See Natural resources.  
 RESOURCES OF CANADA, THE MINERAL, **45**: 131-50.  
 RESOURCES, CHINA: GEOGRAPHY AND, **39**: 130-53.  
 RESOURCES. FOREST RESOURCES AND CONSERVATION, **35**: 67-76.  
 RESOURCES, OUR MINERAL, **33**: 679-85.  
 RESOURCES, THE PRODUCTION AND WASTE OF MINERAL, AND THEIR BEARING ON CONSERVATION, **33**: 686-98.  
 RESOURCES OF THE SOUTH, THE POWER, **35**: 81-98.  
 RESOURCES, THE, OF UNITED STATES AND THEIR RELATION TO OPPORTUNITY, **59**: 1-28.  
 RESOURCE, WATER AS A, **33**: 521-34.  
*Restauration der Staatswissenschaft*, **4**: Sup. Mch., '94, 60.  
 Retail grocers, **50**: 74, 79, 125.  
 — markets, see Markets.  
 — prices, see Prices.  
 — stores, **15**: Sup. M., '00, 131; **25**: 16-19; **48**: 211; **50**: 74-6, 248; **59**: 77.  
 Retailers, **15**: Sup. M., '00, 129; **48**: 203, 211; **50**: 80, 84, 110, 111, 122, 129, 249.  
 RETAILER, PUBLICITY AS A PREVENTION OF ABUSES BY THE, **50**: 83-5.  
 RETIREMENT SYSTEMS FOR MUNICIPAL EMPLOYEES, **38**: 6-14.  
 RETIRING JUDGES, METHODS OF SELECTING AND, IN A METROPOLITAN DISTRICT, **52**: 1-12.  
 Return, see Rate of Return.  
 Revenue: **2**: 186-7; **4**: 557-81; **4**: Sup. Mch., '94, 27; **6**: 103, 116; **29**: Sup. Mch., '07, 45, 47, 86; **41**: 66, 77, 80, 86, 117, 209; **58**: 3, 7, 14, 59, 113, 120, 131-9, 148; **62**: 48, 103-4, 110-11, 114-35; dependencies, **13**: Sup. M., '99, 26, 38; federal, **4**: 557-81; **58**: 40; local, **58**: 3, 7, 120; municipal, **57**: 121; **62**: 114; New York City, **41**: 81; property, **30**: Sup. S., '07, 59; railways, **4**: Sup. S., '93, 63-72; **35**: 664; **63**: 173.  
 REVENUES, FEDERAL, AND THE INCOME TAX, **4**: 557-81.  
 REVENUES, SEPARATION OF STATE AND LOCAL, **58**: 131-9.  
 REVENUE, SOURCES OF, **62**: 125-35.  
 REVENUE, THE UNDERWOOD TARIFF ACT AS A PRODUCER OF, **58**: 12-14.  
 de la Révière, Mercier, **4**: Sup. Mch., '94, 25.  
 Revolutions, **29**: Sup. Mch., '07, 1-3, 7, 11, 17, 19, 24, 33, 35, 36, 50, 83; **30**: 95.  
 REVOLUTION. A THIRD, **2**: 772-81.  
 REVOLUTION, STATE CONSTITUTIONS OF THE AMERICAN, **9**: 380-420.  
*Revue critique*, **4**: Sup. Mch., '94, 132.  
 — *historique*, **4**: Sup. Mch., '94, 132.  
 REYNOLDS, JAMES BRONSON. Enforcement of the Chinese Exclusion Law, **34**: 363-74; Injustice of the Present System of Workmen's Compensation, **38**: 83-5.  
 REYNOLDS, WILLIAM. Baltimore Under its New Charter, **37**: 168-79.  
 Rhode Island, **1**: 552; **1**: Sup. F., '91, 3; **6**: 221, 260-1; **12**: 242; **13**: 214, 227; **15**: 204-35; **17**: 100, 248, 472-4; **20**: 260; **22**: 540; **29**: Sup. Mch., '07, 4-8, 13, 25, 31, 33, 37, 63, 79, 81-2; **32**: Sup. Jy., '08, 143-4; **33**: Sup. Mch., '09, 192-3; **35**: Sup. Mch., '10, 186-9; **38**: Sup. Jy., '11, 183-4; **47**: 28, 29; **53**: 143; **58**: 115, 121, 128.  
 RHODE ISLAND, RELATION OF THE STATE TO MUNICIPALITIES IN, **17**: 472-4.  
 Rhodes, James F., **4**: Sup. S., '93, 135.  
 Ricardo, **1**: Sup. Mch., '91, 50; **4**: Sup. Mch., '94, 23, 42-4, 47, 64, 86-7, 97, 127; **44**: Sup. N., '12, 6, 14, 39, 84.  
 Rice, **22**: 402-3.  
 Richard II, **1**: Sup. Mch., '91, 18.  
 RICHARDS, J. L. The Boston Consolidated Gas Company: Its Relation to the Public, Its Employees, and Investors, **31**: 593-9.  
 RICHARDSON, A. C. Parks and Public Playgrounds, **26**: 767-71.  
 RICHARDSON, CHARLES. Party Government, **2**: 518-21; Party Government, II, **2**: 653-65.  
 RICHARDSON, DOROTHY. The Difficulties and Dangers Confronting the Working Woman, **27**: 624-6.  
 RICHBERG, DONALD R. Constitutional Growth Through Recall of Decisions, **52**: 25-36.

- Richelieu, 4: Sup. Mch., '94, 17.  
*"Richesse commerciale"* 4: Sup. Mch., '94, 50.  
 Richter, A. L., 1: Sup. Mch., '91, 29.  
 v. Richthofen, Ferd., 1: Sup. Mch., '91, 15.  
 RIDER, HARRY A. Select List of References on National, State, County and Municipal Budgets in the United States, 62: 277-87.  
 RIDGELY, WILLIAM BARRET. An Elastic Credit Currency as a Preventive of Panics, 31: 326-34; Government Control of Banks and Trust Companies, 24: 17-26.  
 RIEBENACK, M. Pennsylvania Railroad Pension Departments, 33: 258-64.  
 Right relationship league, 40: 63; 50: 233.  
 Rights, 2: 143; 4: Sup. Mch., '94, 103; 29: Sup. Mch., '07, 6, 23, 63, 66.  
 RIGHTS, NATURAL, 16: 212-26.  
 Riis, Jacob A., 51: 16.  
 RING, WELDING. Transportation Facilities Needed for Latin American Trade, 61: 81-5.  
 RIPLEY, WILLIAM Z. Race Progress and Immigration, 34: 130-8.  
 Ripper law, 19: 299-300; 27: 185.  
 RITCHIE, D. G. The Teaching of Political Science at Oxford, 2: 85-95; On the Conception of Sovereignty, 1: 385-411.  
 Ritter, C., 1: Sup. Mch., '91, 51.  
 RITTER, JAMES H. Present Day Jobbing, 22: 451-8.  
 Rivers, 4: Sup. S., '93, 110-22; 37: 729; 51: 254, 257; 55: 103. See Transportation, Water.  
 RIVER, COLUMBIA, IMPROVEMENT AND THE PACIFIC NORTHWEST, 31: 189-202.  
 RIVER, DELAWARE, THE, 31: 67-72.  
 RIVER FRONT EMBANKMENTS, 51: 254-8.  
 RIVER AND HARBOR BILLS, 2: 782-812.  
 RIVER IMPROVEMENT. MISSISSIPPI IMPROVEMENTS AND TRAFFIC PROSPECTS, 31: 146-63.  
 RIVER, MISSOURI, THE IMPROVEMENT OF, AND ITS USEFULNESS AS A TRAFFIC ROUTE, 31: 178-88.  
 RIVER, OHIO, THE IMPROVEMENTS OF, 31: 139-45.  
 Roads: 48: 223; 50: 35-6, 39, 135, 192, 245; 53: 12, 16; Australia, 12: 195; convict labor, 46: 15, 41, 79, 83, 84, 85, 88, 90, 107; Massachusetts, 5: 269; Porto Rico, 20: 657.  
 ROAD CAMPS IN ARKANSAS, COUNTY, 46: 88-9.  
 ROAD WORK IN OHIO, EXPERIMENTAL, 46: 97-8.  
 ROADS. GOOD ROADS MOVEMENT IN THE SOUTH, 35: 105-13.  
 ROADS. GOOD ROADS MOVEMENT, 40: 51-7.  
 ROADS, PRISON LABOR ON PUBLIC, 46: 58-60.  
 ROBBINS, HAYES. The Necessity for Factory Legislation in the South, 20: 181-8.  
 ROBERTS, ALBERT E. Rural Work of the Young Men's Christian Association, 40: 140-8.  
 ROBERTS, ERNEST W. Federal Incorporation of Interstate Corporations, 42: 303-9.  
 ROBERTS, GEORGE E. Utilization of Bank Reserves in the United States and Foreign Countries, 36: 523-37; The Need of a Central Bank, 31: 345-54; The Need for Currency Reform, 37: Sup. J., '11, 26-32.  
 ROBERTS, ISAAC. Farm Credits Through Farmers' Loan Associations, 50: 191-6.  
 ROBERTS, PETER. The Employment of Girls in Textile Industries in Pennsylvania, 23: 434-44.  
 Roberts, Thomas P., 4: Sup. S., '93, 7, 66, 80, 130.  
 ROBERTSON, WILLIAM A. An Argument Against Government Railroads in the United States, 29: 342-51.  
 ROBINSON, ALLAN. The Heavier Land Tax, 58: 198-201.  
 ROBINSON, CHARLES MULFORD. Educational Value of Public Recreation Facilities, 35: 350-6; The Sociology of a Street Layout, 51: 192-9.  
 ROBINSON, E. V. The Nature of the Federal State, 3: 785-809.  
 ROBINSON, JAMES HARVEY. Constitution of the Kingdom of Prussia (trans.), 5: Sup. S., '94; Original Features in the United States Constitution, 1: 203-43; Sidgwick's Elements of Politics, 3: 211-12.  
 ROBINSON, LEONARD G. Scientific Farming and Scientific Financing, 46: 167-77.  
 ROBINSON, LOUIS N. The German Städte-tag, 31: 703-6.  
 Rochester: infant mortality, 31: 491; 50: 112, 137-52.  
 ROCHESTER PUBLIC MARKET, THE, 50: 137-8.  
 Rockefeller, John D., 42: 3, 320.  
 RODGERS, FREDERICK. The Extent to Which the Navy of the United States Should Be Increased, 26: 137-45.  
 Roemer, J. H., 53: 150.  
 ROESLER, RUDOLF. Attitude of German People and Government towards Trusts, 42: 172-82.  
 ROESSING, JENNIE BRADLEY. The Equal Suffrage Campaign in Pennsylvania, 56: 153-60.  
 Rogers, Thorold, 4: Sup. Mch., '94, 127; 44: Sup. N., '12, 6.  
 ROLLINS, MONTGOMERY. Convertible Bonds and Stocks, 35: 579-92; Tables of Bond Values—Theory and Use, 30: 233-47.  
 Roman Catholic Church: Canada, 45: 69, 72, 73, 76; charities, 23: 513; Philippines, 20: 466-9; 30: 88; social work, 30: 473-82.  
 ROMAN CATHOLIC CHURCH IN THE PHILIPPINES, THE POSITION AND WORK OF THE, 30: 83-9.  
 Rome, 1: Sup. Mch., '91, 16, 17; 4: Sup. Mch., '94, 112-13; 18: 255-73; 45: 258, 262.  
 ROORBACH, G. B. China: Geography and Resources, 39: 130-53.  
 ROOSEVELT, THEODORE. The Conservation of Childhood, 38: Sup. Jy., '11, 8-16; Our National Inland Waterways Policy, 31: 1-11; The New Penology, 46: 4-7. See also 27: 183; 42: 83, 156, 239, 292; 43: 87, 107, 255, 258; 50: 210; 51: 114; 52: 26; 54: 26, 57, 60, 61, 66, 67, 72; 54: 60, 61, 66, 67, 72; 56: 56.  
 ROOT, ELIHU. Development of the Foreign Trade in the United States, 29: 441-9; Individual Effort in Trade Expansion, 37: 579-84; 52: 24; 54: 26, 77, 88.  
 Roscher, W., 1: Sup. Mch., '91, 25, 92; 4: Sup. Mch., '94, 36, 52, 88, 106-8, 110-11, 113-15; 5: 317-44.

- ROSECRANTZ, CLARKE M. Some Limitations and Objections to Municipal Ownership, **57**: 254-73.
- ROSENGARTEN, J. G. Work of the Philadelphia Social Science Association, **1**: 708-19.
- ROSS, EDWARD A. The Standard of Deferred Payments, **3**: 293-305; Uncertainty as a Factor in Production, **8**: 304-31; The Causes of Race Superiority, **18**: 67-89; Seligman's Shifting and Incidence of Taxation, **3**: 444-63; The Total Utility Standard of Deferred Payments, **4**: 425-41.
- ROSSITER, W. S. The Significance of the Decreasing Proportion of Children, **34**: 71-80.
- ROTH, CLAUDE L. Belgium's Government Insurance Bank, **17**: 467-9.
- ROTH, FILIBERT. State Forests in Michigan, **35**: 260-5.
- ROTHROCK, JOSEPH T. Forestry Policy of Typical States—Pennsylvania, **35**: 252-9.
- Rotterdam, **55**: 59-61.
- Roumania, **3**: 388; **61**: 36.
- DEROUSIERS, PAUL. La Science Sociale, **4**: 620-46.
- ROUSSEAU AND THE FRENCH REVOLUTION, **10**: 54-72.
- ROWE, LEO S. Relation of Cities and Towns to Street Railway Companies, **12**: 103-8; The Establishment of Civil Government in the Philippines, **20**: 313-27; The Reorganization of Local Government in Cuba, **25**: 311-21; The Government of Dependencies, **13**: Sup. M., '99, 70-4; The Financial Relation of the Department of Education to the City Government, **15**: 186-203; Instruction in French Universities, **2**: 494-517; The Municipality and the Gas Supply, **11**: 301-23; Instruction in Public Law and Economics in German Universities, **I**, **1**: 78-102; Instruction in Public Law and Economics in Germany, **II**, **1**: 272-88. Constitution of the Kingdom of Italy (trans.), **5**: Sup. N., '94; Conference of the Central Bureau for the Promotion of the Welfare of the Laboring Classes, **3**: 73-81; The Betterment Clause of the London Improvement Bill, **4**: 453-4; The Scope and Limits of our Obligations Toward Mexico, **54**: 219-35; The Possibilities and Limitations of Municipal Control, **15**: Sup. M., '00, 7-20; Notes on Municipal Government, Philadelphia, New York, Chicago, Berlin, **5**: 456-60; Municipal Ownership and Operation of Street Railways in Germany, **27**: 37-65; Meeting of the National Municipal League, **8**: 188-90; The Pan-American Conferences and their Significance, **27**: Sup. M., '06; The Congress of the Learned Societies at Paris, May 1891, **2**: 284-8; The Problems of Political Science, **10**: 165-86; Political Parties in Porto Rico, **19**: 351-69; Annual Congress of the Society of Social Economy at Paris, **4**: 302-5; The Supreme Court and the Insular Cases, **18**: 226-50. *See also* **35**: Sup. M., '10, 5; **36**: Sup. Jy., '10, 25-6, 32, 37-8.
- ROWELL, CHESTER H. Chinese and Japanese Immigrants—A Comparison, **34**: 223-30.
- Rubber, **42**: 81.
- RUBINOW, I. M. Compulsory State Insurance of Workingmen, **24**: 331-42.
- Ruge, A., **4**: Sup. Mch., '94, 90.
- RUIZ, G. ARANGIO. The Amendments to the Italian Constitution, **6**: 227-53.
- Rule of reason, **59**: 216-17.
- RUNGE, EMILY FOOTE. Women in the Juvenile Court, **56**: 88-92.
- RUPPENTHAL, J. C. Election Reforms: The Trend Toward Democracy, **28**: 411-41.
- Rural church, *see* Church.
- RURAL CHURCH, THE, **40**: 131-9.
- Rural communities, **4**: Sup. Mch., '94, 67; **22**: 247.
- RURAL COMMUNITIES. IMMIGRANT RURAL COMMUNITIES, **40**: 69-80.
- RURAL COMMUNITIES, SANITATION IN, **37**: 371-93.
- RURAL CONFERENCES, ORIGIN AND GROWTH OF, **40**: 110-16.
- RURAL CONVENIENCES, **40**: 163-7.
- Rural health, *see* Health.
- RURAL HEALTH MOVEMENT, THE, **37**: 367-70.
- RURAL HOME, THE, **40**: 168-74.
- Rural housing, *see* Housing.
- RURAL HOUSING, **51**: 110-16.
- Rural police, *see* Police.
- RURAL SOCIOLOGY AS A COLLEGE DISCIPLINE, **40**: 12-18.
- RURAL WORK OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION, **40**: 140-8.
- Russia: **1**: Sup. Mch., '91, 67; **4**: Sup. Mch., '94, 129; **7**: 26; **11**: 137, 138-59; **12**: 186, 225; **13**: Sup. M., '99, 191; **15**: 426-32; **17**: 400; **20**: 655; **26**: 89-95; **39**: 41, 157, 167; **55**: 61; **61**: 30; banking, **5**: 242-56; church, **11**: 147-65; cooperative credit, **40**: 173; European war, **60**: 14; peasants, **2**: 225-35; prisons, **20**: 655-6; railways, **19**: 86; representation, **11**: 142.
- RUSSIA, MORTGAGE BANKING IN, **5**: 242-56.
- RUSSIA, THE INTERNAL SITUATION IN, **26**: 91-5.
- RUSSIAN AGGRESSION, THE REAL MENACE OF, **13**: Sup. M., '99, 184-7.
- RUSSIAN EMPIRE, THE PRESENT CONDITION OF THE PEASANTS IN THE, **2**: 225-35.
- RYAN, MICHAEL. Prospects of the Meat Packing Industry, **34**: 471-6.
- RYDER, JOHN J. Nebraska Child Labor Committee, **33**: Sup. Mch., '09, 186-7; **35**: Sup. Mch., '10, 177-8; **38**: Sup. Jy., '11, 174.
- Rye, **59**: 8, 12.
- Sabbath, **29**: Sup. Mch., '07, 68.



- Safety**, **3**: 552; **8**: 587; **17**: Sup. J., '01, 21; **38**: 48-9, 52, 90-3, 112-14; **44**: 50, 81. See Accidents, Employers' liability, Railroads, Red cross, Safety devices, Workmen's compensation.
- SAFETY DEVICES, THE NECESSITY FOR**, **38**: 108-11.
- Sage, Russell, Foundation**, **41**: 181.
- Saggi di Economia, Statistica et Scienziadell, amministiazione**, **4**: Sup. Mch., '94, 133.
- Saint-Simon**, **4**: Sup. Mch., '94, 70-4, 75-6, 79, 100, 131; **8**: 494.
- SAIT, E. M.** Theocratic Quebec, **45**: 69-82.
- SAKUMA, H.** City Government in Japan, **25**: 322-4.
- Salaries**: **29**: Sup. Mch., '07, 30-1, 33, 35, 38, 41, 46, 55, 85; **61**: 204-5; **62**: 80, 239-40.
- SALVILLES, RAYMOND.** The Development of the Present Constitution of France, **6**: 1-78.
- Salem, Mass.**, **23**: 180.
- Salesmanship**, **30**: 264-8. See Bonds.
- Salmon, Thomas**, **1**: Sup. Mch., '91, 22.
- Saloons**, see Alcohol, Anti-Saloon League, Liquor, Local option, Prohibition, Raines Law Hotels.
- SALOON, ANTI-, LEAGUE, THE, AS A POLITICAL FORCE**, **32**: 497-507.
- SALOON, ANTI-, LEAGUE, THE WORK OF THE**, **32**: 482-96.
- SALOON PROBLEM, THE**, **32**: 531-8.
- SUPPRESSION OF THE "RAINES LAW HOTELS,"** **32**: 556-66.
- Salt Lake City**, **52**: 151.
- Salvation Army**, **10**: 162; **30**: 545-6; **41**: 182.
- SALVATION ARMY, THE—A CRITICISM**, **30**: 545-56.
- SAMMIS, L. WALTER.** The Relation of Trust Companies to Industrial Combinations, as Illustrated by the United States Ship-building Company, **24**: 239-70.
- SAMPLE, N. W.** Apprenticeship System at the Baldwin Locomotive Works, Philadelphia, **33**: 175-7.
- San Antonio**, **50**: 139-52.
- **Diego**, **62**: 127.
- **Domingo**, **26**: 49; **39**: 93.
- SAN DOMINGO, THE FINANCIAL DIFFICULTIES OF**, **30**: 93-103.
- SANBORN, F. B.** Social Science Congress, **6**: 531-3.
- SANDERS, ALVIN H.** Reciprocity with Continental Europe, **29**: 450-5.
- SANDS, HERBERT R.** Efficiency in Budget Making, **41**: 138-50.
- Sanford, William H.**, **49**: 79.
- San Francisco**: **3**: 744-6; **6**: 555; **7**: 151; **9**: 296; **10**: 125; **13**: 224, 413; **15**: 175; **16**: 322; **19**: 150-1; **21**: 122, 317-18; **24**: 405; **35**: Sup. Mch., '10, 161; **38**: Sup. Jy., '11, 157; **47**: 96; charities, **19**: 309; charter, **7**: 151; **9**: 296; **11**: 284; **12**: 310; **13**: 224, 413; **16**: 322; **19**: 150; **24**: 402; child labor, **35**: Sup. Mch., '10, 161; civil service, **17**: 142-3; **19**: 150-1; **24**: 403, 405; **47**: 108; elections, **11**: 176; labor, **34**: 249; land, **58**: 154-5; **62**: 127; liquor, **23**: 374-6; municipal ownership, **57**: 261; schools, **15**: 175; street railways, **6**: 551; **7**: 144; **57**: 81; taxes, **8**: 413; valuations, **8**: 413; water, **30**: 575; **57**: 81.
- SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN, NEW YORK, PHILADELPHIA, BROOKLYN; STREET RAILWAYS IN THE UNITED STATES**, **7**: 144-61.
- SAN FRANCISCO, CINCINNATI, NEW YORK, PHILADELPHIA, CHICAGO. DEVELOPMENT OF STREET RAILWAY SYSTEM**, **6**: 551-6.
- Sanitation**: **4**: 600-1; **13**: 175; **17**: Sup. J., '01, 21; **18**: 371; **30**: 541; **42**: 21, 39, 42, 136, 207; **44**: 37, 38, 42-9, 51, 52, 55-7; **51**: 1; **59**: 37; England, **7**: 359; **22**: 530-1; Great Britain, **25**: 273-89; Jersey City, **21**: Sup. J., '03, 23-34; London, **17**: 540; Louisiana, **47**: 45; Mexico, **22**: 532; municipal sanitation, **18**: 371; New York, **44**: 39-58; New York City, **23**: 311-21; **44**: 40; Panama, **6**: 259; Pennsylvania, **16**: 153; rural, **37**: 371-93; **51**: 112. See Health.
- SANITATION IN GREAT BRITAIN, PROGRESS OF**, **25**: 273-89.
- SANITATION. THE MOSQUITO CAMPAIGN AS A SANITARY MEASURE**, **37**: 424-35.
- SANITARY CONTROL, JOINT BOARD OF, IN THE CLOAK, SUIT AND SKIRT INDUSTRY OF NEW YORK CITY, THE**, **44**: 39-58.
- SANITARY PROBLEMS, NEW YORK CITY'S, AND THEIR SOLUTION**, **23**: 311-21.
- SANITATION IN RURAL COMMUNITIES**, **37**: 371-93.
- Sansovino, Fr.**, **1**: Sup. Mch., '91, 20.
- SANTO DOMINGO, THE SITUATION IN**, **26**: 47-52.
- SARGENT, DUDLEY ALLEN.** The Significance of a Sound Physique, **34**: 9-15.
- SARGENT, FRANK P.** Problems of Immigration, **24**: 151-8.
- SAULSBURY, WILLARD.** The Policy of the United States toward Mexico, **54**: 134-5.
- SAVING, THE FUNCTION OF**, **17**: 95-9, 454-66.
- Savings**, **10**: 468; **17**: 454-66; **36**: 640; **37**: Sup. M., '11, 79-84; **44**: Sup. N., '12, 16, 42; **60**: 131.
- Savings banks**, **7**: 157, 171-2; **12**: 156, 202; **36**: 640, 642, 643; **41**: Sup. M., '12, 59. See Banks.
- SAVINGS BANKS, POSTAL**, **8**: 461-90.
- SAVINGS BANKS, THE RELATION OF POSTAL, TO COMMERCIAL BANKS**, **11**: 44-53.
- SAVINGS BANKS, SCHOOL**, **3**: 14-29.
- SAVINGS BANKS, SCHOOL**, **4**: 972-4.
- SAVINGS BANKS, SCHOOL**, **7**: 172-3.
- SAVINGS BANK SYSTEM IN THE UNITED STATES, THE OPERATION OF THE MUTUAL, AND THE TREATMENT OF SAVINGS DEPOSITS**, **36**: 640-53.
- SAVINGS BANK, THE PHILIPPINE POSTAL**, **30**: 45-51.
- SAVINGS BANK, A SUCCESSFUL SCHOOL**, **4**: 297-9.
- SAVINGS DEPOSITS, THE OPERATIONS OF THE MUTUAL SAVINGS BANK SYSTEM IN THE UNITED STATES, AND THE TREATMENT OF**, **36**: 640-53.
- SAWIN, WILLIAM GRANT.** The Profits and Volume of Capital, **18**: 420-33.
- Sax, Emil v.**, **4**: Sup. S., '93, 109.
- SAXONY. FOREIGN RAILWAY EVENTS IN 1902-3**, **23**: 121-40.
- Say, Jean-Baptiste**, **4**: Sup. Mch., '94, 50, 64.



- Say, Léon, 4: Sup. Mch., '94, 50-1, 129.
- SAYLES, MARY B. Housing Conditions in Jersey City, 20: 139-49.
- Scaruffi, Gaspari, 4: Sup. Mch., '94, 17.
- Schaeffle, A., 4: Sup. Mch., '94, 88, 117, 119-20.
- SCHAEFFER, NATHAN C. Child Labor and the Public Schools, 29: 84-6.
- SCHAFF, MORRIS. Capitalization of Earnings of Public Service Companies, 53: 178-81.
- SCHAFFNER, MARGARET A. Effect of the Recent Boycott Decisions, 36: 277-87.
- Schanz, George, 4: Sup. Mch., '94, 118.
- Schedules, 29: Sup. Mch., '07, 14, 16, 40; 53: 15, 39, 51.
- SCHIEFFELIN, WILLIAM JAY. The Drug Trade and the Anti-Trust Law, 32: 69-74; Work of the Committee of One Hundred on National Health, 37: 321-30.
- SCHIFF, JACOB H. Relation of a Central Bank to the Elasticity of the Currency, 31: 372-6.
- SCHIFF, MORTIMER L. Some Aspects of the Income Tax, 58: 15-31.
- Schiller, J. F., 4: Sup. Mch., '94, 33.
- Schlichting, Julius, 4: Sup. S., '93, 45, 81.
- SCHMOLLER, GUSTAV. The Idea of Justice in Political Economy, 4: 697-737; Vacation Courses in Politics and Economics, At Berlin, 6: 281-3; 4: Sup. Mch., '94, 117, 121-2.
- SCHNEIDER, HERMAN. Education and Industrial Peace, 44: 119-29; Partial Time Trade Schools, 33: 50-5; The Public School and the Day's Work, 38: Sup. Jy., '11, 53-9.
- SCHOFF, WILFRED H. Investment of American Capital in Latin-American Countries, 37: 638-47; A Neglected Chapter in the Life of Comte, 8: 491-508; The International Commercial Congress, Philadelphia, October, 1899, 15: 81-7; European Trade Relations with South America, 22: 159-68.
- Scholarships, 29: 3-7; 33: Sup. Mch., '09, 100-3.
- Schönberg, Gustav, 4: Sup. Mch., '94, 122.
- Schools: 1: 515-25; 2: 85-95, 577-99; 3: 669-90; 4: 198, 297-9, 620-46, 961-2; 4: Sup. Mch., '94, 11-13, 20, 32, 59-62, 109; 5: 461-89; 6: 192, 546, 547; 7: 69-73; 9: 244; 10: 380, 384, 385; 13: 134; 15: 171, 199-201, 297, 334; 17: 363; 18: 375-8; 19: 305-6; 22: 269-70; 23: 457; 25: 157-9, 290, 409-12; 29: 84-6, 104-9; 110-14; 29: Sup. Mch., '07, 58-9; 32: Sup. Jy., '08, 90-1; 33: 23, 97-104; 33: Sup. Mch., '09, 79-85; 35: Sup. Mch., '10, 33-4; 36: Sup. Jy., '10, 14, 32-7; 37: 345; 38: Sup. Jy., '11, 53-9; 41: 18, 38-9, 158-9, 164, 174, 196, 253, 307, 309; 44: 79, 127, 138; 47: 6, 153-65; 49: 219, 220; 51: 211-12; 59: 53; Alabama, 49: 212; Boston, 11: 424; 13: 138; Brooklyn, 33: 97-104; Buffalo, 12: 152; Chicago, 13: 124; 5: 181; child labor, 25: 558-62; 29: 84-6; 32: Sup. Jy., '08, 67; China, 39: 88, 90-4; Cincinnati, 15: 200; 44: 78; Cleveland, 15: 181, 201; 17: 145-7; Columbus, Ga., 33: 42; commercial, 10: 385; 12: 39; 44: 138; compulsory attendance, 3: 682-5; 21: 443; 29: Sup. J., '07, 12; 31: Sup. M., '08, 16-18; 32: Sup. Jy., '08, 57; 44: 127, 138; country, 40: 149-57; 56: 78-9; 59: 53; crippled children, 18: 372; England, 3: 669-90; 10: 196; 25: 409; Europe, 17: 363; evening, 33: 56; expenditures, 41: 174; German, 1: 522; high, 8: 332-42; 10: 381; Illinois, 47: 75; industrial education, 49: 219-32; Japan, 36: Sup. Jy., '10, 16; London, 6: 283-9, 561; Louisville, 7: 66; Manila, 33: 89; medical inspection, 37: 249; Milwaukee, 33: 78-84; Negro, 49: 27, 52, 61, 167, 186, 187, 197, 221, 225-6; New Jersey, 25: 531; New York, 6: 192; 7: 505; 12: 146; normal, 39: 90; 49: 30, 176, 215, 220; Omaha, 15: 292; Paris, 13: 134; Pennsylvania, 8: 337, 573; 10: 381; Peru, 37: 665-82; Philadelphia, 6: 167; 15: 176-93; 33: 85; playgrounds, 35: 376, 436-40; Porto Rico, 20: 657-63; Providence, 14: 386; 35: Sup. Mch., '10, 130-3; public service, 41: 307; religious instructions, 3: 686; rural, 49: 53, 173, 225, 229; savings, 3: 14; 7: 172; 4: 297, 972; savings banks, 7: 172; 36: 646; San Francisco, 15: 175; secondary, 19: 305-6; sectarian, 29: Sup. Mch., '07, 59, 64, 65; St. Louis, 15: 180; social service, 41: 18; summer, 12: 319; 15: 297; technical, 1: 520-5; 44: 138; trade, 5: 209-41; 13: 138; 32: Sup. Jy., '08, 36-7, 90-1; 33: 50-6, 68, 78, 96; 44: 77. See Children, Education.
- SCHOOLS. CURRENT PROBLEMS IN ALABAMA, 22: 280-3.
- SCHOOL, BEREAN, OF PHILADELPHIA AND THE INDUSTRIAL EFFICIENCY OF THE NEGRO, 33: 111-18.
- SCHOOLS, THE ADMINISTRATION OF CITY, 15: 171-85.
- SCHOOLS, PUBLIC, CHILD LABOR AND THE, 29: 84-6; 104-9; 110-14.
- SCHOOL AS A FORCE ARRAYED AGAINST CHILD LABOR, THE, 25: 558-64.
- SCHOOL CHILDREN, WHAT AMERICAN CITIES ARE DOING FOR THE HEALTH OF, 37: 494-504.
- SCHOOLS, TRADES. SECONDARY INDUSTRIAL SCHOOL OF COLUMBUS, GEORGIA, 33: 42-9.
- SCHOOLS, CONCENTRATION OF, THE, AND TRANSFORMATION OF PUPILS, 22: 257-60.
- SCHOOL, THE COUNTRY, 40: 149-57.
- SCHOOL AFFAIRS, COUNTY ADMINISTRATION OF, IN ITS RELATION TO THE STATE DEPARTMENT, 47: 153-65.
- SCHOOLS. CURRENT PROBLEMS IN NORTH CAROLINA, 22: 293-303.
- SCHOOLS, ECONOMICS IN ELEMENTARY, 5: 461-89.
- SCHOOLS, ETHICAL TRAINING IN THE PUBLIC, 2: 577-99.
- SCHOOL, OVERWORKED CHILDREN ON THE FARM AND IN THE, 33: Sup. Mch., '09, 116-21.
- SCHOOL ADMINISTRATION, FINANCIAL RELATION OF THE DEPARTMENT OF EDUCATION TO THE CITY GOVERNMENT, 15: 186-203.
- SCHOOL SYSTEM, THE HIGH, 8: 332-42.
- SCHOOLS, INADEQUATE, 35: Sup. Mch., '10, 33-4.
- SCHOOL OF INDUSTRIAL ART, THE WORK OF THE PENNSYLVANIA MUSEUM AND, 33: 105-10.

- SCHOOLS, INDUSTRIAL EDUCATION AND THE PUBLIC, **49**: 219-32.
- SCHOOL, THE, MANILA TRADE, **33**: 89-96.
- SCHOOLS, MEDICAL INSPECTION OF PUBLIC, **25**: 290-8.
- SCHOOL OF TRADES, THE, MILWAUKEE, **33**: 78-84.
- SCHOOLS. EDUCATIONAL PROGRESS IN MISSISSIPPI, **22**: 304-9.
- SCHOOL, A MODEL, **22**: 245-8.
- SCHOOLS, NEGRO CHILDREN IN THE PUBLIC, OF PHILADELPHIA, **49**: 186-208.
- SCHOOL, PHILADELPHIA TRADES, **33**: 85-8.
- SCHOOLS, TRADE. POLYTECHNIC INSTITUTE, TECHNICAL EDUCATION AT THE BROOKLYN, **33**: 97-104.
- SCHOOL, PUBLIC AND THE DAY'S WORK, **38**: Sup. Jy., '11, 53-9.
- SCHOOLS, PUBLIC EVENING, OF TRADES, **33**: 56-67.
- SCHOOL, THE RELATIVE VALUE AND COST OF VARIOUS TRADES IN A GIRLS' TRADE, **33**: 127-40.
- SCHOOL SAVINGS BANKS, **3**: 14-29.
- SCHOOL SAVINGS BANKS, **4**: 972-4.
- SCHOOL SAVINGS BANK, A SUCCESSFUL, **4**: 297-8.
- SCHOOL SYSTEMS, ATTAINING EFFICIENCY IN CITY, **41**: 158-75.
- SCHOOL OF INDUSTRIAL ART, THE WORK OF THE, PENNSYLVANIA MUSEUM AND, **33**: 105-10.
- SCHOOLS, PUBLIC, AS SOCIAL CENTRES, **23**: 457-63.
- SCHOOLS. THE SOUTHWESTERN FIELD, **22**: 287-92.
- SCHOOLS. EDUCATIONAL WORK IN TENNESSEE, **22**: 284-6.
- SCHOOLS, PARTIAL, TIME TRADE, **33**: 50-5.
- SCHOOL, SHORT COURSE TRADE, **33**: 68-77.
- SCHOOLS, VOCATIONAL TRAINING AND TRADE TEACHING IN THE PUBLIC, **33**: 23-32.
- SCHRAM, LOUIS B. Workmen's Compensation in the Brewing Industry, **38**: 31-4.
- SCHULTZ, OSCAR T. The Coroner's Office, **47**: 112-19.
- Schulze-Delitzsch system, **46**: 172. See Agricultural credit.
- SCHURZ, CARL. Militarism and Democracy, **13**: Sup. M., '99, 77-103.
- SCHVAN, AUGUST. Six Essentials to Permanent Peace, **60**: 222-9.
- SCHWEDTMAN, F. C. Principles of Sound Employers' Liability Legislation, **38**: 202-4.
- Schweizerische Blätter für Wirtschafts- und Socialpolitik, **4**: 490, 492.
- Science, **1**: Sup. Mch., '91, 18-19; **4**: 620-46; **4**: Sup. Mch., '94, 7-8, 12, 21-2, 68-9, 124, 128; **10**: 362, 380; **60**: 6-7.
- SCIENCE, BUSINESS AND, **28**: 28-37.
- SCIENCES, PLACE OF THE POLITICAL AND SOCIAL, IN MODERN EDUCATION, **10**: 359-88.
- SCIENCES, SOCIOLOGY AND THE ABSTRACT, **5**: 746-58.
- SCIENCE OF TIMBER VALUATION, THE, **41**: Sup. M., '12, 9-22.
- Scientific analysis, **57**: 84.
- farming, **46**: 167; **50**: 18; **63**: 280, 281, 284. See Farming.
- SCIENTIFIC FARMING, **40**: 45-50.
- SCIENTIFIC FARMING AND SCIENTIFIC FINANCING, **46**: 167-77.
- Scientific management: **41**: 115; **42**: 176; **44**: 30-1, 59-61, 63-4, 66-72, 130, 132-3, 135-6; **48**: 96, 99-103, 256; **57**: 92; **59**: 96-103; **61**: 86-9, 159, 208-9, 211, 212-13, 215; agriculture, **61**: 194; employment, **61**: 103-11; marketing, **48**: 152; **59**: 78-9, 84; standardization, **61**: 109, 212; unemployment, **61**: 146-64. See Motion study, Unemployment.
- SCIENTIFIC MANAGEMENT APPLIED TO THE STEADYING OF EMPLOYMENT, AND ITS EFFECT IN AN INDUSTRIAL ESTABLISHMENT, **61**: 103-11.
- SCIENTIFIC MANAGEMENT IN HOME-MAKING, **48**: 96-103.
- SCIENTIFIC MANAGEMENT, ATTITUDE OF LABOR TOWARDS, **44**: 59-73.
- SCIENTIFIC MANAGEMENT AS A SOLUTION OF THE UNEMPLOYMENT PROBLEM, **61**: 146-64.
- SCIENTIFIC MANAGEMENT, WHAT, MEANS TO AMERICA'S INDUSTRIAL POSITION, **61**: 208-16.
- Scotland, **10**: 465; **17**: 154.
- SCOTT, GEORGE WINFIELD. Some of the Causes of Conflict Between Europe and Latin America, **22**: 71-82.
- SCOTT, WILLIAM A. The Quantity Theory, **9**: 212-30.
- SCOVILLE, SAMUEL, JR. The Evolution of our Criminal Procedure, **52**: 93-101.
- SCROGGS, WILLIAM O. Commission Government in the South, **38**: 682-97; Parish Government in Louisiana, **47**: 39-47.
- SCUDDER, MYRON T. Rural Recreation a Socializing Factor, **40**: 175-90.
- SEACOAST REGIONS, FIFTY YEARS OF FREEDOM: CONDITIONS IN THE, **49**: 58-66.
- SEAGER, H. R. American Economic Association, **5**: 790-4; American Economic Association and the Political Science Association of the Central States, Joint Meeting, **7**: 344-8; Meeting of the American Economic Association, **17**: 304-6; **19**: 269-71; Editorial, Roland R. Falkner, **17**: 92-4; Government Regulation of Big Business in the Future, **43**: 238-45; Editorial on Dr. S. M. Lindsay, **19**: 256-8; The Minimum Wage as Part of a Program for Social Reform, **48**: 3-12; Professor Patten's Theory of Prosperity, **19**: 239-55; The Pennsylvania Tax Conference, **4**: 805-9.
- Seamen, **38**: 349-65; **63**: 232-43.
- SEAMAN, LOUIS LIVINGSTON. The Problem of the Philippines, **30**: 130-4.
- Seasonal occupations, see Unemployment.
- SEASONAL OCCUPATION IN THE BUILDING TRADES, **33**: 353-61.
- Seattle: **24**: 581; **25**: 400, 632; charities, **23**: 181; civic organizations, **5**: 399-400; **27**: 414; commercial paper, **59**: 228-9; education, **25**: 185; electricity, **27**: 222; **57**: 76-7; gas, **27**: 222; liquor, **23**: 379-80; markets, **50**: 139-52; parks and playgrounds, **28**: 772; police, **24**: 591; recall, **43**: 227-36; reform organizations, **27**: 414-15; taxation, **28**: 167; telephones, **53**: 73.
- SEATTLE, THE WORKING OF THE RECALL IN, **43**: 227-36.
- SEAY, GEORGE J. Completing the Reform of our Banking System, **63**: 142-54.
- Sects, **29**: Sup. Mch., '07, 64.

- Securities: **14**: 181-203; **30**: Sup. S., '07, 103; **34**: 439-44; **35**: 506, 545-53, 699-714; **37**: 184; **41**: Sup. M., '12, 36, 45, 51, 59, 69, 76; **45**: 250; **53**: 43, 46-7, 149, 150-1, 154, 158-9, 162-3, 170, 175; **57**: 104; **60**: 114, 134-5, 231; **63**: 255-6, 258, 260-2; electric companies, **53**: 180; foreign, **14**: 184; gas, **31**: 593; **53**: 180; governmental control, **63**: 255-62; holding companies, **57**: 330; New Jersey, **53**: 13; Pennsylvania, **53**: 48; prices, **16**: 195-7; public service, **26**: 101-16; railroads, **17**: 236; **34**: 442; **63**: 166-7; Texas, **53**: 162-171; timber, **41**: Sup. M., '12, 8, 51; Toronto, **57**: 266; Wisconsin, **53**: 107, 148.
- SECURITIES, SHALL THE GOVERNMENT REGULATE THE SALE OF? **63**: 255-62.
- SECURITIES CASE, THE NORTHERN, **24**: 123-47.
- SECURITY FOR LOANS, REAL ESTATE AS, **25**: 51-60.
- SECURITIES MARKET, THE, AS AN INDEX OF BUSINESS CONDITIONS, **34**: 439-44.
- SECURITY, BASIS OF, FOR NATIONAL BANK NOTES, **3**: 597-606.
- SECURITIES AS A MEANS OF PAYMENT, **14**: 181-203.
- SECURITY PRICES AND VALUES, INFLUENCES AFFECTING, **35**: 627-35.
- SECURITIES OF PUBLIC SERVICE CORPORATIONS AS INVESTMENTS, **25**: 101-16.
- SECURITIES, SHOULD THE PUBLIC UTILITIES COMMISSION HAVE POWER TO CONTROL THE ISSUANCE OF, **53**: 148-61.
- SECURITY, RAILROAD BONDS AS AN INVESTMENT, **30**: 312-35. *See* Bonds.
- SECURITY FOR LOANS, REAL ESTATE AS, **25**: 51-60.
- SECURITIES AND STOCK EXCHANGES, BIBLIOGRAPHY ON, **35**: 699-714.
- SECURITIES, THE PURCHASE OR SALE OF, THROUGH A STOCK BROKER, **35**: 506-24.
- SECURITIES, TIMBER BONDS AS INVESTMENT, **41**: Sup. M., '12.
- SEDDON, ALFRED E. The Education of Mill Children in the South, **32**: Sup. Jy., '08, 72-9.
- Self-government, **7**: 255; **16**: 229-30, 234; **56**: 1.
- sufficiency, **61**: 63-4.
- SELIGMAN, EDWIN R. A. Newer Tendencies in American Taxation, **58**: 1-11. *See also*, **4**: Sup. S., '93, 56; **44**: Sup. N., '12, 7, 13, 21; **58**: 108, 131-2.
- SELIGMAN'S (E. R. A.) SHIFTING AND INCIDENCE OF TAXATION, **3**: 444-63.
- SELIGMAN, ISAAC N. Foreign Experience a Guide to Currency Reform, **31**: 367-71; Duty of a Rich Nation to Take Care of Her Children, **33**: Sup. Mch., '09, 15-19.
- Selling, **19**: 322; **50**: 102-3, 158; **59**: 196; **61**: 86; **63**: 61.
- SELLING PRICES, SHOULD THE MANUFACTURER HAVE THE RIGHT TO FIX? **63**: 55-66.
- SELLING, ADVERTISING AS AN AID TO DIRECT, **50**: 197-202.
- SELWYN-BROWN, ARTHUR. Economic Crises and Stock Security Values, **35**: 636-45.
- Senate: **3**: 1-13, 255-6; **29**: Sup. Mch., '07, 4, 31, 34, 40, 43, 44, 45, 84; France, **6**: 12, 37; Italy, **6**: 252; Oregon, **43**: 56, 71; United States, **1**: 214.
- Senators, **6**: 119; **21**: 266-7; **23**: 328; **43**: 8. *See* Elections.
- SENNER, JOSEPH H. The Immigration Question, **10**: 1-19.
- Sering, M., **4**: Sup. S., '93, 57, 66.
- Servia, **61**: 36.
- Service: **3**: 279; **41**: 96; **53**: 17, 184, 263-7, 278-9, 281, 285-91, 292-3, 297; **57**: 124, 168; California, **53**: 300; capitalization, **53**: 299; charges, **57**: 132; competition, **8**: 131; **55**: 2; cost, **53**: 238-56; electricity, **35**: 662; **57**: 238-41, 252, 285-91; gas, **53**: 269-77; lighting, **57**: 249; rates, **53**: 239, 297; standards, **53**: 263-4, 278-9, 285; state regulation, **53**: 96; street railways, **37**: 191; **53**: 113; water, **53**: 251; Wisconsin, **53**: 97, 104, 263, 264. *See* Electric plants, Gas, Lighting, Public utilities, Water.
- SERVICE, TEN RULES FOR, **53**: 292-306.
- SERVICE REGULATIONS FOR ELECTRICAL UTILITIES, **53**: 285-91.
- SERVICE REGULATIONS FOR GAS, **53**: 369-77.
- SERVICE, REGULATING THE QUALITY OF PUBLIC UTILITY, **53**: 262-8.
- SERVICE, REGULATION OF COST AND QUALITY OF, AS ILLUSTRATED BY STREET RAILWAY COMPANIES, **15**: Sup. M., '00, 61.
- Settlements, **21**: 336; **30**: 483-95. *See* Social Settlements.
- Sewage, **10**: 128; **15**: 290; **37**: 385; **51**: 170; **62**: 150-1. *See* Disease, Health, Waste.
- Sex equality, Suffrage. *See* Ballot, Woman Suffrage, Women.
- SEX EQUALITY, THE EDUCATION OF WOMEN AND, **56**: 38-46.
- Shakers, **19**: 499-500.
- SHAMBAUGH, BENJAMIN F. Commission Government in Iowa: The Des Moines Plan, **38**: 698-718.
- SHARFMAN, I. LEO. Commission Regulation of Public Utilities: A Survey of Legislation, **53**: 1-18.
- SHARPLESS, ISAAC. The Relation of the State to Education in England and America, **3**: 669-90.
- SHAW, ALBERT. Coöperation as a Means of Reducing the Cost of Living, **48**: 225-37.
- SHAW, ANNA HOWARD. Equal Suffrage—A Problem of Political Justice, **56**: 93-8.
- Sheep, **59**: 14, 16.
- Sheriff, **29**: Sup. Mch., '07, 87; **47**: 3, 5, 29, 68, 106, 252, 256-7, 271, 275.
- SHERIFF AND WORLD PEACE, AN INTERNATIONAL COURT, AN INTERNATIONAL, **61**: 274-5.
- SHERILL, CHARLES H. The Monroe Doctrine and the Canning Myth, **54**: 92-8.
- Sherman anti-trust act, **32**: 27, 70-1, 248, 251; **36**: 268; **42**: 65, 70, 81, 85, 92, 96, 112, 156, 157, 167, 169, 170, 206, 238, 244, 263-70, 273, 275, 277-80, 282, 284-5, 289, 304, 307, 329, 340, 341; **44**: 25; **48**: 184; **50**: 81; **61**: 54-5; **63**: 8-11, 13-14, 29, 80, 83, 160. *See* Anti-trust legislation, Combinations, Competition, Reciprocity, Trusts.
- SHERMAN ANTI-TRUST LAW, AMENDMENT OF THE, **32**: 34-42.
- SHERMAN ANTI-TRUST LAW AND THE BUSINESS OF THE COUNTRY, THE, **42**: 219-37.
- SHERMAN, JAMES S. Respect for Law in the United States, **36**: 193-8.
- Sherman, John, **4**: Sup. S., '93, 135.



- SHERMAN, MRS. JOHN DICKINSON. Women's Clubs in the Middle-Western States, **28**: 227-47.
- SHERMAN, P. TECUMSEH. A Compensation Law and Private Justice, **38**: 151-8.
- SHERMAN, SIDNEY A. Relation of the State to Municipalities in Rhode Island, **17**: 472-4.
- SHERWOOD, SIDNEY. The Philosophical Basis of Economics, **10**: 206-40.
- SHIBUSAWA, EIICHI. Commercial Relations Between the United States and Japan, **36**: Sup. Jy., '10, 6-8.
- Shipbuilding, **24**: 239.
- SHIPBUILDING, PRESENT STATUS AND FUTURE PROSPECTS OF AMERICAN, **19**: 46-60.
- SHIPBUILDING COMPANY, THE RELATION OF TRUST COMPANIES TO INDUSTRIAL COMBINATIONS, AS ILLUSTRATED BY THE UNITED STATES, **24**: 239-70.
- Ship Canals, *see* Canals.
- SHIPLEY, MAYNARD. Homicide and the Death Penalty in Mexico, **29**: 625-9.
- Shipments, **48**: 200; **50**: 6, 64; **55**: 174-80. *See* Shipping, Shippers.
- SHIPPERS, CONTRACTS BETWEEN STEAMSHIP LINES AND, **55**: 168-84.
- Shipping, **45**: 45; **55**: 1, 22, 66, 190-2, 243-52; **60**: 31-2; **61**: 76-9. *See* Shipments.
- SHIPPING CONFERENCES, ADVANTAGES AND DISADVANTAGES OF, AND AGREEMENTS IN THE AMERICAN FOREIGN TRADE, **55**: 243-51.
- SHIPPING FACILITIES BETWEEN THE UNITED STATES AND SOUTH AMERICA, **38**: 621-37.
- Ships, **4**: 78; **4**: Sup. S., '93, **55**: 153. *See* Transportation, Vessels, Water.
- Shoes, **59**: 80, 83. *See* Boot and shoe industry.
- SHOE INDUSTRY, TRADE TEACHING IN THE BOOT AND, **33**: 155-62.
- Shorefront, Quay system of improvement, **59**: 251.
- Short ballot, **38**: 816; **41**: 221; **47**: 36, 67, 97, 247, 273-4.
- SHORT BALLOT AND THE COMMISSION PLAN, THE, **38**: 816-22.
- SHORTT, ADAM. Municipal Taxation in Relation to Speculative Land Values, **58**: 214-21.
- SHUEY, SARAH I. Public Health Movement on the Pacific Coast, **37**: 331-8.
- SHURTLEFF, FLAVEL. City-Planning Legislation, **51**: 239-45.
- SHUSTER, W. MORGAN. Acquisitive Statesmanship, **61**: 245-51; The Elements of a Constructive American Foreign Policy, **54**: 282-94.
- Siam, **17**: 548-50.
- Siberia, railways, **23**: 121-40.
- SIBERIA. RUSSIA IN ASIA, **15**: 426-32.
- SICKEL, W. G. Pooling Agreements, **55**: 144-54.
- Sidewalks, **62**: 151. *See* Streets.
- SIEGEL, F. Sociology Applied to Politics, **11**: 137-73.
- SIERRA CLUB, THE, **35**: 420-5.
- SIFTON, CLIFFORD. Reciprocity, **45**: 20-8.
- SIKES, GEORGE C. The Relation of Chicago to Public Service Corporations, **31**: 689-94.
- Silver, **3**: 293-305, 544, 557-68, 788; **9**: 359; **14**: 330-7; **16**: 39. *See* Coinage, Currency, Money.
- SILVER IN CHINA, **9**: 359-79.
- SILVER. FREE COINAGE AND THE LEGAL TENDER DECISIONS, **9**: 198-211.
- SILVER, THE RECENT PRODUCTION OF, AND ITS PROBABLE FUTURE, **14**: 327-43.
- SILVER, THE RELATIVE STABILITY OF GOLD AND, **14**: 38-72.
- SILVER, USE OF, AS MONEY IN THE UNITED STATES, **4**: 91-149.
- SILVERNAIL, F. D. The Lockport Proposal, **38**: 884-7.
- SIMKHOVITCH, MARY KINGSBURY. The Settlement's Relation to Religion, **30**: 490-5.
- Simler, Josias, **1**: Sup. Mch., '91, 21.
- SIMMEL, GEORG. The Problem of Sociology, **6**: 412-23.
- SIMONS, SARAH E. Social Decadence, **18**: 251-74.
- Singapore Conference for steamship line agreements, **55**: 81.
- Single-name paper, **63**: 106-7. *See* Banking.
- tax: **4**: Sup. Mch., '94, 22, 28; **42**: 213, 263-4; **51**: 34-6, 38-9; **58**: 5, 198-9, 209, 216-7, 222-17; **59**: 154-5; **69**: 148-56; Canada, **58**: 223, 225; Missouri, **58**: 224-5; New Zealand, **58**: 225; Oregon, **58**: 224-7; Pittsburgh, **58**: 224; South America, **58**: 223.
- SINGLE TAX, **58**: 222-7.
- Sinking funds, **41**: 76, 211; **41**: Sup. M., '12, 5, 6, 55, 59, 80.
- SINKING FUNDS, BOND REDEMPTION AND, **30**: 213-29.
- SINSHEIVER, P. A. Ten Rules for Service, **53**: 292-306.
- de Sismondi, Sismonde, **4**: Sup. Mch., '94, 50, 58.
- SKINNER, R. W., JR. Constitutional Limitations Relating to Cities and Their Affairs, **27**: 232.
- SKIRT INDUSTRY, THE JOINT BOARD OF SANITARY CONTROL IN THE CLOAK, SUIT AND, OF NEW YORK CITY, **44**: 39-58.
- SLACK, AGNES E. Regulation of the Liquor Traffic in England, **32**: 612-15.
- SLATER FUNDS, THE WORK OF THE JEANES AND, **49**: 173-6.
- Slavery, **2**: 66; **4**: Sup. Mch., '94, 94-5, 128; **9**: 42-69, 408; **11**: 2; **13**: Sup. M., '99, 26, 42; **19**: 328-9; **35**: Sup. Mch., '10, 24; **49**: 19, 139. *See* Crime, Negroes, South.
- Slavs, as immigrants, **24**: 194-5.
- SLAYDEN, JAMES L. Railway Regulation in Texas, **32**: 225-34.
- SLECHTA, J. J. The Monroe Doctrine and the Foreign Policy of the United States in the Western Hemisphere, **54**: 124-9.
- Sliding scale, **53**: 14.
- Sloman, Rob. M., **55**: 54, 67.
- Slums, **6**: 189; **8**: 574, 578; **10**: 127.
- SMALL, ALBION W. Organic Concept of Society, **5**: 740-6; "Social" vs. "Societary," **5**: 948-53; A "Unit" in Sociology, **13**: 81-5. *See also* **44**: Sup. N., '12, 13, 21-2.
- SMALLEY, HARRISON S. Rate Control under the Amended Interstate Commerce Act, **29**: 292-309.
- SMART, WILLIAM. The Effects of the Consumption of Wealth on Distribution, **3**: 257-92.

- SMITH, A. BEVERLY. The "Mutual Government" or "Joint Commission" Plan of Preventing Industrial Conflicts, **27**: 531-9.
- SMITH, ADAM, **1**: Sup. Mch., '91, 50; **4**: Sup. Mch., '94, 9, 11-13, 22-3, 30-1, 33-41, 44, 48, 59, 64, 87, 109, 127; **7**: 461-4; **44**: Sup. N., '12, 21, 53, 64.
- SMITH, ALEXANDER W. Possible Benefits of the Federal Trade Commission, **63**: 84-7.
- SMITH, ARTHUR H. Certain Aspects of Chinese Reconstruction, **39**: 18-25.
- SMITH, CHARLES EMORY. The Internal Situation in Russia, **26**: 89-95.
- SMITH, CHARLES F. Child Labor, False Economic Forces, **35**: Sup. Mch., '10, 13-15.
- SMITH, EDITH ELICOTT. The Farmer's Share in the High Cost of Living, **48**: 252-5.
- SMITH, GEORGE OTIS. Our Mineral Resources, **33**: 679-85.
- SMITH, HERBERT KNOX. Corporate Regulation—An Administrative Office, **42**: 284-8; Public Regulation of Corporations, **32**: 30-3.
- SMITH, HOKE. The Duty of the People in Child Protection, **32**: Sup. Jy., '08, 97-100.
- SMITH, J. ALLEN. The Multiple Money Standard, **7**: 173-232; Parks and Public Playgrounds, **26**: 772; Effect of State Regulation of Public Utilities upon Municipal Home Rule, **53**: 85-93.
- SMITH, J. RUSSELL. The Reconstructed City, **59**: 283-90; The British System of Improving and Administering Ports and Terminal Facilities, **24**: 507-24; Western South America and its Relation to American Trade, **18**: 446-68.
- SMITH, JOHN B. The Mosquito Campaign as a Sanitary Measure, **37**: 424-35.
- SMITH, R. M., **1**: Sup. Mch., '91, 4, 5.
- SMITH, WALTER GEORGE. Uniform Legislation in the United States, **52**: 67-76; Present Status of Workmen's Compensation Laws, **38**: 128-43.
- SMITHERS, WILLIAM W. The Use of the Pardoning Power, **52**: 61-6.
- SMITH-LEVER Extension Act, **59**: 59.
- SNEDDEN, DAVID. Vocational Direction, **35**: Sup. Mch., '10, 86-90.
- SNOW, ALPHEUS HENRY. The Position of the Judiciary in the United States, **43**: 286-310.
- SNOW, FREEMAN. Cabinet Government in the United States, **3**: 1-13.
- SNYDER, CARL. Railroad Stocks as Investments, **35**: 646-56.
- SOCIAL AND POLITICAL SCIENCE IN UNITED STATES, **1**: 132.
- betterment, **41**: 3, 190.
- centers, *see* Playgrounds, Recreation, Schools.
- Contract Theory, **6**: 7.
- control, **44**: Sup. N., '12, 12, 48, 90-1.
- SOCIAL DECADENCE, **18**: 251-74.
- SOCIAL DEMOCRATS, **18**: 391-419; **44**: Sup. N., '12, 11.
- SOCIAL AND ECONOMIC CONDITIONS, CHINA, Vol. **39**.
- Social economy, **14**: 279; **16**: 328, 503.
- SOCIAL ECONOMY, SOCIETY OF, **4**: 302-5.
- Social efficiency, **59**: 125-32.
- SOCIAL EFFICIENCY, INDUSTRIAL OUTPUT AND, **59**: 125-32.
- Social evil, **48**: 11, 20. *See* Prostitution.
- SOCIAL EVOLUTION OF THE ARGENTINE REPUBLIC, THE, **37**: 707-30.
- SOCIAL EVOLUTION, THE THREE PRIMARY LAWS OF, **20**: 386-400.
- Social forces, **44**: Sup. N., '12, 43.
- SOCIAL FORCES, THE THEORY OF, **7**: Sup. J., '96.
- Social insurance, **48**: 4, 8. *See* Insurance, Unemployment.
- SOCIAL INSURANCE, THE LOGIC OF, **33**: 265-77.
- SOCIAL INSURANCE, NECESSITY FOR, **38**: 86-9.
- SOCIAL INVESTIGATION AND SOCIAL LEGISLATION, **48**: 54-65.
- SOCIAL JUSTICE, PRISON LABOR AND, **46**: 147-53.
- Social legislation, **28**: 408; **44**: 107; **48**: 54-65; **56**: 57-8, 61-70.
- SOCIAL LEGISLATION IN THE UNITED STATES, WOMEN AND, **56**: 62-70.
- SOCIAL LIFE IN THE COUNTRY, **40**: 119-30.
- SOCIAL ORIGINS, THE MEANING OF TOTEMISM—AN ESSAY UPON, **23**: 518-28.
- Social problems, **17**: 158, 363, 546; **18**: 370, 563; **19**: 308, 509; **29**: 454, 647; **21**: 327-9, 333-5, 490; **22**: 390, 535, 538-40; **23**: 178, 389, 562; **24**: 412, 593; **25**: 189, 402, **26**: 774; **27**: 447.
- SOCIAL PROBLEMS, CHARITIES AND, **17**: 158-72.
- SOCIAL PROBLEM, THE OLD HOUSE AS A, **51**: 82-91.
- SOCIAL PROBLEMS, PHILANTHROPY, CHARITIES AND, **17**: 546-57.
- Social progress, **44**: Sup. N., '12, 77, 87; **59**: 29-33.
- SOCIAL PROGRESS, EDUCATION AND, IN THE PHILIPPINES, **30**: 69-82.
- SOCIAL PROGRESS, LAW AND, **38**: 117-18.
- SOCIAL PROGRESS, PLAY AND, **35**: 325-33.
- SOCIAL PSYCHOLOGY, THE AMERICAN NEWSPAPER: A STUDY IN, **16**: 56-92.
- Social reform, **4**: 620; **4**: Sup. Mch., '94, 130; **6**: 564; **17**: 364; **48**: 3-12.
- SOCIAL REFORMER, MR. CARNEGIE AS ECONOMIST AND, **17**: 474-80.
- SOCIAL REFORM, CHURCH AND, **6**: 353.
- SOCIAL REFORM, THE MINIMUM WAGE AS PART OF A PROGRAM FOR, **48**: 3-12.
- SOCIAL REFORM, WOMAN SUFFRAGE AN AID TO, **35**: Sup. M., '10, 33-5.
- Social sciences, **1**: 68; **2**: 699; **3**: 128.
- SOCIAL SCIENCE CONGRESS, **6**: 531-3.
- SOCIAL SCIENCE, INDIVIDUAL DETERMINISM AND, **7**: 270-85.
- SOCIAL SCIENCES, UNITS OF INVESTIGATION IN THE, **5**: 915-41.
- SOCIAL SCIENCE, RELATION TO SOCIOLOGY, **6**: 412-23.
- Social service, **24**: 412; **35**: Sup. M., '10, 13; **41**: 18, 188; **49**: 169; **56**: 44.
- SOCIAL SERVICE WORK IN HOSPITALS, **37**: 467-71.
- Social settlement, **6**: 564; **9**: 166; **11**: 292; **15**: 301; **19**: 505-8, 515-16. *See* Settlements.
- SOCIAL SETTLEMENTS, COLLEGE AND, **5**: 816-17.
- SOCIAL SETTLEMENT, A FUNCTION OF THE, **13**: 323-45.
- SOCIAL VS. SOCIETARY, **5**: 948-53.
- Social survey, **41**: 6, 155, 178, 270.



- Social types, 12: 225.  
 — wealth, 32: Sup. Jy., '08, 94; 59: 279-80.  
 — welfare, 42: 141; 44: 106; 59: 126-7.  
 — work, 19: 309; 29: 237, 401, 601; 31: 484.  
 SOCIAL WORK OF THE CHURCH, 30: N., '07.  
 SOCIAL WORK, THE, OF A CHURCH, IN A FACTORY TOWN, 30: 503-8.  
 SOCIAL WORK AT THE KRUPP FOUNDRIES, 3: 330-62.  
 SOCIAL WORK OF THE CATHOLIC CHURCH IN AMERICA, 30: 473-82.  
 SOCIAL WORK AND INFLUENCE OF THE NEGRO CHURCH, 30: 509-21.  
 SOCIAL WORK, THE, OF A SUBURBAN CHURCH, 30: 496-502.  
*Socialen Briefen an Herrn von Kirchmann*, 4: Sup. Mch., '94, 85.  
*Socialen Geschichte der französischen Revolution*, 4: Sup. Mch., '94, 106.  
 Socialism: 3: 218; 4: 9, 16, 608; 4: Sup. Mch., '94, 9, 24-5, 42, 47, 51, 67-99, 109, 133; 5: 733; 18: 212-25, 391-419; 30: 457; 42: 110, 124, 125, 177, 181, 190, 191, 215, 219, 243, 245, 264; 43: 47, 122; 44: 12, 35, 78, 116; 44: Sup. N., '12, 6-29, 30, 46, 70, 75-82, 93, 134-5; 48: 186; 59: 160-3; England, 16: 323; 44: Sup. N., '12, 7, 16; Europe, 44: Sup. N., '12, 7; France, 8: 428; 17: 537-9; Germany, 44: Sup. N., '12, 15; Italy, 2: 203; Switzerland, 43: 47, 134.  
 SOCIALISM. BERNSTEIN VS. OLD SCHOOL MARXISM, 18: 391-419.  
 SOCIALISM, MUNICIPAL, IN FRANCE, 17: 537-9.  
 SOCIALISM, SOME NEGLECTED POINTS IN THE THEORY OF, 2: 345-62.  
 SOCIALISM AS A CURE FOR UNEMPLOYMENT, 59: 157-64.  
*Socialismus und Communismus des heutigen Frankreichs*, 4: Sup. Mch., '94, 105.  
 SOCIALIST, A NEGLECTED, 5: 718-39.  
*Société immobilière des ouvriers de Paris*, 3: 76.  
 Society, 4: Sup. Mch., '94, 9; 5: 740-6; 44: Sup. N., '12, 36; 59: 106-7.  
 SOCIETY, THE ATTITUDE OF, TOWARD THE CHILD AS AN INDEX OF CIVILIZATION, 29: 135-41.  
 SOCIETY FOR THE ADVANCEMENT OF THE COMMONWEALTH IN DRESDEN, THE "HEIDE PARK" OF THE, 35: 441-8.  
 SOCIETY, ADAPTION OF, TO ITS ENVIRONMENT, 4: 529-66.  
 SOCIETY, ECONOMIC PLACE OF LIFE INSURANCE AND ITS RELATION TO, 26: 181-91.  
 SOCIETY, ORGANIC CONCEPT OF, 5: 404-9, 740-6.  
 SOCIETY OF SOCIAL ECONOMY, ANNUAL CONGRESS, 4: 302-5.  
 SOCIETY, THE MORAL INFLUENCE OF WOMEN IN AMERICAN, 34: 106-16.  
 Sociology: 1: 66, 68, 70; 4: Sup. Mch., '94, 47; 5: 640-50, 705-17, 746, 814, 825, 1001, 1012; 5: Sup. Jy., '94, 13-42, 80; 6: 181, 193, 343, 348, 356, 412-23, 562, 572; 7: 162, 164, 361, 512; 8: 201, 418, 433-60, 587; 9: 163, 306, 313, 475, 480; 10: 134, 300, 482; 11: 124, 288, 435; 12: 157, 313, 450; 13: 81-5, 134, 280, 419; 14: 148, 274, 388; 15: 131, 297, 485; 16: 164, 328, 494; 17: 151, 153, 359-61, 541; 18: 67-89, 95-101, 366-9, 560-1; 19: 153, 499-505; 21: 502-5; 40: 12-18; 44: Sup. N., '12, 5, 9, 21, 29.  
 SOCIOLOGY, 17: 541-5.  
 SOCIOLOGY AND THE ABSTRACT SCIENCES, 5: 746-58.  
 SOCIOLOGY. RELATION OF ABSTRACT TO CONCRETE SCIENCES, 5: 942-8.  
 SOCIOLOGY, AMERICAN JOURNAL OF, 6: 354-9.  
 SOCIOLOGY, FAILURE OF BIOLOGIC, 4: 919-47.  
 SOCIOLOGY. A NEGLECTED CHAPTER IN THE LIFE OF COMTE, 8: 491-508.  
 SOCIOLOGY, THIRD CONGRESS OF THE INTERNATIONAL INSTITUTE OF, 11: 109.  
 SOCIOLOGY AND ECONOMICS, 13: 230-4.  
 SOCIOLOGY, RELATION OF ECONOMIC TO, 5: 577-83.  
 SOCIOLOGY, THE UNIT OF INVESTIGATION IN, 12: 214-28.  
 SOCIOLOGY. THE UNITS OF INVESTIGATION IN THE SOCIAL SCIENCES, 5: 915-41.  
 SOCIOLOGY AND PHILANTHROPY, 12: 49-57.  
 SOCIOLOGY APPLIED TO POLITICS, 11: 137-73.  
 SOCIOLOGY, PRINCIPLES OF, 8: 1-31.  
 SOCIOLOGY, PROBLEM OF, 6: 412-23.  
 SOCIOLOGY, PROVINCE OF, 1: 66-77.  
 SOCIOLOGY, RELATION OF, TO PSYCHOLOGY, 8: 433-60.  
 SOCIOLOGY AS A COLLEGE DISCIPLINE, RURAL, 40: 12-18.  
 SOCIALE, LA SCIENCE, 4: 620-46.  
 SOCIOLOGY OF A STREET LAYOUT, THE, 51: 192-9.  
 SOCIOLOGY, THE STUDY AND TEACHING OF, 12: 1-48.  
 SOCIOLOGY IN THEOLOGICAL SEMINARIES, 6: 348.  
 SOCIOLOGY, THEORETICAL, 17: 151-8, 359-80.  
 SOCIOLOGY, THEORY OF, 5: 814-15, 1001-3; 6: 181, 343-4.  
 SOCIOLOGY, THE THEORY OF, 5: Sup. Jy., '94.  
 SOCIOLOGY, A UNIT IN, 13: 81-5.  
 SOCIOLOGY, PRESENT CONDITION OF, IN THE UNITED STATES, 5: 260-9.  
 SOCIOLOGY, UTILITY, ECONOMICS AND, 5: 398-404.  
 SOCIOLOGIST, ARISTOTLE AS A, 19: 227-38.  
 SOCIOLOGICAL CONFERENCE, TERMINOLOGY AND THE, 5: 705-17.  
 SOCIOLOGICAL FIELD WORK, 5: 584-6; 8: 201-5.  
 SOCIOLOGICAL INVESTIGATION, 5: 818-20.  
 Soetbeer, A., 4: Sup. Mch., '94, 48.  
 Soil, 33: 631-46, 699-710; 59: 17.  
 SOIL, PRESERVATION OF THE PHOSPHATES AND THE CONSERVATION OF THE, 33: 699-710.  
 SOIL FERTILITY, THE CONSERVATION AND PRESERVATION OF, 33: 631-46.  
 Soldiers, *see* Army.  
 SOLDIER, THE TRAINING OF THE EFFICIENT, 26: 147-60.

- SOPER, GEORGE A. A City Plan for Waste Disposal, 51: 228-33.
- SOUTH: 4: 265-74; 28: 248; 29: 164-5; 33: Sup. Mch., '09, 166-71, 196-8; 35: Sup. Mch., '10, 192-4; 47: 5, 15, 21, 93; 49: 3, 7, 23, 35-6, 47, 52, 54-5, 68, 77, 164, 169, 176, 179; child labor, 21: 181-8; 25: 430-6, 491-507; 29: 9-18; 32: Sup. Jy., '08, 24-5; convict lease system, 49: 77; cotton, 35: Sup. Mch., '10, 47-51; criminality, 49: 79; crops, 35: 52; education, 22: 27, 280-3, 284-303, 310-19; 32: Sup. Jy., '08, 57, 72; 49: 52; farm crops, 35: 52; forests, 35: 72; Italians, 33: 385; legislatures, 16: 93; lynching, 49: 168; Negroes, 49: 47, 55; politics, 35: 172-83; roads, 35: 105-13; suffrage, 13: 213; 15: 164; 16: 94; teachers, 22: 249-51; woman suffrage, 56: 56.
- SOUTHERN AGRICULTURAL ECONOMY, COTTON IN, 35: 1-7.
- SOUTHERN AGRICULTURE, PLANTATION SYSTEM AND THE NEGRO PROBLEM, 40: 90-9.
- SOUTH, CHILD LABOR IN THE, 35: 156-64.
- SOUTH, THE AWAKENING OF THE, AGAINST CHILD LABOR, 29: 9-18.
- SOUTH, CHILD LABOR LEGISLATION IN THE, 25: 491-507.
- SOUTH, EFFECT OF CLUB WORK IN THE, 28: 248-56.
- SOUTH, COMMISSION GOVERNMENT IN THE, 38: 682-97.
- SOUTH, THE COTTON MILL A FACTOR IN THE DEVELOPMENT OF THE, 35: Sup. Mch., '10, 47-51.
- SOUTHERN COTTON MILLS, CHILD LABOR IN THE, 27: 259-69.
- SOUTHERN COTTON MILLS, CONDITION OF LABOR IN, 33: 278-86.
- SOUTHERN DEVELOPMENT, THE NEGRO'S PART IN, 35: 124-33.
- SOUTH, ECONOMIC NEEDS OF THE, 35: 165-71.
- SOUTH, CONFERENCE FOR EDUCATION IN THE, 22: 271-9.
- SOUTHERN EDUCATION, PROGRESS OF, 22: 310-19.
- SOUTH, NECESSITY FOR FACTORY LEGISLATION IN THE, 20: 181-8.
- SOUTH, NEW FARM CROPS FOR THE, 35: 52-9.
- SOUTH, SURE BASES OF A GREATER, 35: 60-6.
- SOUTHERN INDUSTRY, CHILD LABOR IN, 25: 430-6.
- SOUTH, NEEDS OF THE NEW, 22: 266-70.
- SOUTH, NEGRO CRIMINALITY IN THE, 49: 74-80.
- SOUTH, NEGRO EDUCATION IN THE, 22: 320-9.
- SOUTH, THE NEW, 35: J., '10.
- SOUTH, PEONS OF THE, 4: 265-74.
- SOUTH, NEW POLITICS FOR THE, 35: 172-83.
- SOUTH, RACE RELATIONSHIP IN THE, 49: 164-72.
- SOUTHERN RAILROADS AND INDUSTRIAL DEVELOPMENT, 35: 99-104.
- SOUTH, THE POWER RESOURCES OF THE, 35: 81-98.
- SOUTH, GOOD ROADS MOVEMENT IN THE, 35: 105-13.
- SOUTHERN STATES, THE—REPRESENTATION IN STATE LEGISLATURES, 16: 93-119.
- SOUTH, THE UNIVERSITY IN THE, 22: 261-5.
- SOUTHERN UNIVERSITIES, WORK OF THE COMMISSION OF, ON THE RACE QUESTION, 49: 47-57.
- SOUTH, THE INLAND WATERWAYS OF THE, 35: 114-19.
- South African Republic, 16: Sup. Jy., '00, 16, 57, 62, 72.
- SOUTH AFRICA, ORIENTAL LABOR IN, 34: 395-402.
- SOUTH AFRICAN CONFLICT, THE,—ITS LEGAL AND POLITICAL ASPECTS, 15: 1-40.
- SOUTH AFRICAN REPUBLIC, SELECTED OFFICIAL DOCUMENTS ON THE, AND GREAT BRITAIN, 16: Sup. Jy., '00.
- SOUTH AFRICAN WAR, THE FINANCING OF THE, 20: 534-58.
- South America: 18: 448, 450; 22: 47-9, 52-4, 153, 156, 159-68; 29: 441; 34: 520-31; 37: 620; 41: Sup. M., '12, 22; 54: 58, 81, 92, 114; 55: 65-6, 89-91; 59: 295-6, 301, 309-17; 60: 34, 74, 77; 61: 66-9, 72-3, 74-9, 80, 82-3; commerce, 37: 648; 59: 311-12; 61: 79; foodstuffs, 60: 88; foreign trade, 59: 316-20; Italian laborers, 33: 382; markets, 59: 309-15; resources, 18: 453; shipping facilities, 61: 76-9; silver, 14: 330-1, 337; single tax, 58: 223; trade, 18: 446-68; 22: 153-6; 60: 98.
- SOUTH AMERICAN AFFAIRS, THE POSITION OF PERU IN, 22: 59-65.
- SOUTH AMERICA, THE RELATIONS OF CENTRAL AND, WITH THE UNITED STATES AS AFFECTED BY THE EUROPEAN WAR, 61: 66-70.
- SOUTH AMERICA, COMMERCE WITH, 37: 648-62.
- SOUTH AMERICA, ETHIC FACTORS IN, 22: 25-31.
- SOUTH AMERICA, EUROPEAN TRADE WITH, 22: 159-68.
- SOUTH AMERICA—OUR MANUFACTURERS' GREATEST OPPORTUNITY, 34: 520-31.
- SOUTH AMERICAN MARKETS, 59: 309-15.
- SOUTH AMERICA, EXISTING OBSTACLES TO THE EXTENSION OF OUR TRADE WITH CENTRAL AND, 60: 98-103.
- SOUTH AMERICA, FOREIGN RAILWAY EVENTS IN, 1902-3, 23: 121-40.
- SOUTH AMERICA, SHIPPING FACILITIES BETWEEN THE UNITED STATES AND, 38: 621-37.
- SOUTH AMERICAN TRADE, CENTRAL AND, AS AFFECTED BY THE EUROPEAN WAR, 60: 60-8.
- SOUTH AMERICAN TRADE, CAUSES OF OUR FAILURE TO DEVELOP, 22: 153-6.
- SOUTH AMERICA, TRADE RELATIONS WITH CENTRAL AND, AS AFFECTED BY THE WAR, 60: 69-71.
- SOUTH AMERICA, THE UNITED STATES' OPPORTUNITY TO INCREASE ITS FOREIGN TRADE WITH, 59: 316-20.
- SOUTH AMERICAN VIEW AS TO THE MONROE DOCTRINE, 54: 63-5.
- SOUTH AMERICA, WESTERN, AND ITS RELATION TO AMERICAN TRADE, 18: 446-68.
- South Carolina: 7: 357; 15: 168; 16: 93, 98; 17: 249; 29: Sup. Mch., '07, 20, 25, 60, 67, 68, 74; 32: 545; 35: 545-55; 41: Sup. M., '12, 12; 53: 7; child labor, 32: Sup. Jy., '08, 47; 38: Sup. Jy., '11, 114-17; cities, 1: Sup. F., '91, 3; 7: 357; commission govern-

- ment, **38**: 692; constitutional legislation, **13**: 212; cotton, **32**: Sup. Jy., '08, 54; counties, **15**: 168; liquor, **7**: 370; Negroes, **49**: 221; shipments, **50**: 67; suffrage, **7**: 303; **13**: 212.
- SOUTH CAROLINA, ENFORCEMENT OF CHILD LABOR LAWS IN**, **35**: Sup. Mch., '10, 96-102.
- SOUTH CAROLINA, THE STATE DISPENSARIES OF**, **32**: 545-55.
- South Dakota**: **2**: 145; **16**: 244; **29**: Sup. Mch., '07, 5, 51, 65; **32**: 545-55; **50**: 207; commission government, **38**: 737; constitutional legislation, **31**: 215; direct legislation, **15**: 162; initiative, **43**: 84, 87-9, 124, 160; rates, **53**: 62; referendum, **43**: 84, 87, 89, 160; suffrage, **11**: 176; tax commission, **58**: 121, 127-8; valuations, **58**: 115; woman suffrage, **13**: 215; women, **56**: 83.
- South Norwalk**: electric service, **57**: 228-45; lighting, **57**: 230-1, 236; municipal ownership, **57**: 230, 232, 234-5.
- SOUTH NORWALK'S MUNICIPAL ELECTRIC WORKS**, **57**: 228-45.
- SOUTHERN APPALACHIAN PARK RESERVE, THE, AS A NATIONAL PLAYGROUND**, **35**: 401-8.
- SOUTHERN EDUCATIONAL PROBLEMS**, **22**: S., '03.
- SOUTHWESTERN FIELD, THE**, **22**: 287-92.
- Sovereignty**, **29**: Sup. Mch., '07, 2, 6, 82; **43**: 3, 4, 22, 24, 26, 246.
- SOVEREIGNTY, ON THE CONCEPTION OF**, **1**: 385-411.
- Spain**, **2**: 833; **18**: 257-65; **22**: 134; **30**: 65-8; **54**: 8; **55**: 73; **61**: 58.
- Spanish America**, **27**: Sup. M., '06, 17-20; **30**: 65.
- SPANISH-AMERICAN CIVILIZATION, AN EDUCATIONAL POLICY FOR**, **30**: 65-8.
- SPANISH-AMERICAN WAR. THE WAR AS A SUGGESTION OF MANIFEST DESTINY**, **12**: 173-92.
- SPANISH POPULATION OF CUBA AND PORTO RICO, THE**, **18**: 163-80.
- SPANISH WAR. NATIONAL PENSION SYSTEM AS APPLIED TO THE CIVIL WAR AND THE WAR WITH SPAIN**, **19**: 204-26.
- SPARGO, JOHN. Socialism as a Cure for Unemployment**, **59**: 157-64.
- SPARKS, T. ASHLEY. Relation of the Contractor or Speculator to the World's Ocean Transportation Problem**, **55**: 232-6.
- SPARLING, SAMUEL E. State Boards of Control, with Special Reference to the Experience of Wisconsin**, **17**: 74-91; **The League of Wisconsin Municipalities**, **23**: 340-1.
- SPEARE, CHARLES F. Selling American Bonds in Europe**, **30**: 269-83.
- Specie**, see Gold, Money, Silver.
- Speech, freedom of opinion and, in dependencies**, **13**: Sup. M., '99, 26, 41.
- SPEIRS, FREDERIC W. Regulation of Costs and Quality of Service as Illustrated by Street Railway Companies**, **15**: Sup. M., '00, 63-76.
- SPENCER, A. W. Should Public Franchises be Treated as Corporate Property?** **29**: 352-6.
- SPENCER, ANNA G. The Logical Basis of Woman Suffrage**, **35**: Sup. M., '10, 10-15.
- Spencer, Herbert**, **4**: 608; **4**: Sup. Mch., '94, 128-9.
- SPENCER, HERBERT, POLITICAL ETHICS OF**, **4**: 582-619.
- SPERANZA, GINO C. The Alien in Relation to Our Laws**, **52**: 169-76.
- SPILLMAN, W. J. The Efficiency Movement in its Relation to Agriculture**, **59**: 65-76.
- SPITZER, LYMAN. Industrial Bonds as an Investment**, **30**: 374-83.
- Spoils system**, **3**: 12; **5**: 653-83; **17**: 535.
- SPRACKLAND, HARRY. The Combination Family Basket**, **50**: 171-4.
- SPRAGUE, CHARLES E. The Proper Basis of Bond Accounts when held for Investment**, **30**: 193-200; **The Valuation of Bonds on an Income Basis**, **30**: 201-12.
- SQUIRE, ANDREW. Essential Recitals in the Various Kinds of Bonds**, **30**: 248-56.
- Squire, Watson C.**, **4**: Sup. S., '93, 143, 151.
- St. John, Canada**, **58**: 200.
- St. Joseph: charter**, **38**: 845.
- St. Louis**: **3**: 743-4, 748; **13**: 140; **15**: 181, 199; **17**: 140-1, 531-2; **19**: 514; **21**: 481-2; **23**: 383; **38**: 440, 843; **41**: 57, 164, 165, 166, 176, 182, 281; **62**: 159-61; **63**: 206-7; electric light and gas, **27**: 206, 220; franchises, **22**: 527; infant mortality, **31**: 487; juvenile court, **52**: 151; **56**: 92; paving, **29**: 570; Public Service Commission, **53**: 185; schools, **15**: 180, 200.
- ST. LOUIS, MERCHANTS' EXCHANGE OF**, **38**: 540-4.
- St. Vincent de Paul Society**, **30**: 477.
- STAAKE, WILLIAM H. Juvenile Courts and Probation in Philadelphia**, **36**: 71-6.
- Staatswirthschaftlichen Untersuchungen über Vermögen*, **4**: Sup. Mch., '94, 53.
- Staats- und socialwissenschaftliche Forschungen*, **4**: Sup. Mch., '94, 121.
- Stage, child labor**, **38**: Sup. Jy., '11, 60-5, 74-6.
- Stahl, F. J.**, **4**: Sup. Mch., '94, 60.
- STANDARD, THE MULTIPLE MONEY**, **7**: 173-232.
- Standard Oil Company**, **5**: 909; **15**: 46; **42**: 81, 86, 93, 95, 191, 240-1, 246, 274, 278, 286, 297, 301, 311, 321; **48**: 165-6.
- Standardization**: **41**: 5, 158; **50**: 74, 94-7, 202, 232, 253-4; **51**: 95, 96; **53**: 264, 278-9, 285; **59**: 102-3; **61**: 109, 115, 199-207, 212; **62**: 141; farm products, **50**: 232; food products, **48**: 211; gas, **53**: 269; New York, **41**: 76, 98; recreational facilities, **62**: 141; specifications, **41**: 127-37; supplies, **41**: 15, 52, 76, 94, 98; **61**: 203-4; trade associations, **63**: 77; weights and measures, **50**: 105-9.
- STANDARDIZATION OF FAMILY LIFE, THE**, **48**: 81-90.
- STANDARDIZATION OF SPECIFICATIONS FOR PUBLIC WORKS**, **41**: 127-37.
- STANDARDS OF LIVING, NEGRO HOME LIFE AND**, **49**: 147-63.
- STANDARDS, DEVELOPMENT OF, IN MUNICIPAL GOVERNMENT**, **61**: 199-207.
- STARKE, BRUCE. Children's Protective Alliance of Missouri**, **38**: Sup. Jy., '11, 174.
- States**: **2**: 301, 325, 345, 701, 779; **4**: 151, 156, 201-32, 734; **4**: Sup. Mch., '94, 81-5, 97; **5**: 829-63; **6**: 119, 397-411; **7**: 63-9, 399; **8**: 236-58; **11**: 180; **16**: 178-9; **17**: 100; **18**: 469, 485; **29**: Sup. Mch., '07, 2, 15, 30-1, 33, 35, 38, 41, 62, 87; **42**: 99; **43**: 114; **44**: Sup. N., '12, 26; **46**: 6, 12, 15, 18, 38, 52, 156; **52**: 109-10, 113; **53**: 94-

- 107; **56**: 30-2; **57**: 24, 58, 141, 149-50, 173-4; **59**: 10, 62; **59**: 54, 219; **62**: 29-30, 49, 60-1, 63, 93-4; **63**: 166-7, 257.
- STATE AND NATIONAL ACTIVITIES, THE NEED FOR COORDINATING MUNICIPAL, **41**: 23-39.
- STATE ADMINISTRATION, RECENT TENDENCIES IN, **18**: 434-45.
- STATE, CORPORATION REGULATION BY, AND NATION, **32**: 235-9.
- STATE DEPARTMENT, COUNTY ADMINISTRATION OF SCHOOL AFFAIRS IN ITS RELATION TO THE, **47**: 153-65.
- STATE, RELATION OF, TO EDUCATION IN ENGLAND AND AMERICA, **3**: 669-90.
- STATES, THE FOURTH INTERNATIONAL CONFERENCE OF THE AMERICAN, **37**: 585-93.
- STATE INDEMNITY FOR ERRORS OF CRIMINAL JUSTICE, **53**: 108-18.
- STATES, HOW THE, MAKE INTERSTATE RATES, **32**: 102-19.
- STATES, THE EVOLUTION OF THE AMERICAN SYSTEM OF FORMING AND ADMITTING NEW, INTO THE UNION, **18**: 469-79.
- STATE MILITARY PENSION SYSTEM, THE, OF TENNESSEE, **18**: 485-8.
- STATES, CAN THE, REGULATE PRIVATE FORESTS? **33**: 510-20.
- STATES, FIVE YEARS OF RAILROAD REGULATION BY THE, **32**: 138-56.
- STATE, THE TEACHER AND THE, **22**: 249-56.
- State banks, **3**: 573-80; **63**: 88, 142, 166-70. See Banking, Banks.
- STATE BANKS, BRANCH BANKING AMONG THE, **36**: 629-39.
- STATE BANK CIRCULATION, NATIONAL AND, **3**: 573-80.
- STATE BANKS, NATIONAL AND, **3**: 529-58.
- STATE BANKS AND TRUST COMPANIES, THE GROWTH OF, **36**: 613-25.
- State commissions, **53**: 83; **57**: 8-9, 24, 57, 64-6, 77, 125, 141-3, 150-1, 155-7. See Commissions, Public service commissions, Public utility commissions.
- STATE CONSTITUTIONS OF THE AMERICAN REVOLUTION, **9**: 380-420.
- STATE CONSTITUTIONS, FIRST, **4**: 201-232.
- STATE CONSTITUTIONS, MARRIAGE AND DIVORCE PROVISIONS IN THE, OF THE UNITED STATES, **26**: 745-8.
- STATE CONSTITUTIONS, OUR, **29**: Sup. Mch., '07.
- STATE GOVERNMENT, COUNTY AND, IN OREGON AND PROPOSED CHANGES, **47**: 271-3.
- STATE LEGISLATION, ACTUAL, **43**: 49-64.
- STATE LEGISLATION, UNIFORM, **5**: 829-63.
- STATE LEGISLATURES, REPRESENTATION IN, NORTH ATLANTIC STATES, **15**: 204-35.
- STATE LEGISLATURES, REPRESENTATION IN THE LEGISLATURES OF THE NORTH CENTRAL STATES, **15**: 405-25.
- STATE LEGISLATURES, REPRESENTATION IN THE SOUTHERN STATES, **16**: 93-119.
- STATE LEGISLATURES, REPRESENTATION IN, IN THE WESTERN STATES, **16**: 243-72.
- State regulation: **32**: 235; **53**: 71-2, 74, 77, 82-7, 94, 96-7, 101; **54**: 303; **57**: 8-9, 64, 72-3, 79, 123, 143, 145-6, 151, 159, 160, 165, 168, 280-1; **63**: 165-6; electric rates, **57**: 77; Maryland, **53**: 94; Minnesota, **53**: 95; Wisconsin, **53**: 75, 94, 97, 269.
- STATE REGULATION, THE ADVANTAGES OF, **57**: 123-62.
- STATE REGULATION, WHAT CERTAIN CITIES HAVE ACCOMPLISHED WITHOUT, **57**: 72-82.
- STATE REGULATION, THE DISTRIBUTION OF FUNCTIONS BETWEEN LOCAL AND, **57**: 163-9.
- STATE REGULATION, EFFECTS OF THE INDETERMINATE FRANCHISE UNDER, **53**: 135-47.
- STATE REGULATION OF INSURANCE, **24**: 67-83.
- STATE REGULATION, LOCAL VERSUS, **53**: 94-107.
- STATE REGULATION, LOCAL AND, IN PENNSYLVANIA, **57**: 175-85.
- STATE REGULATION, EFFECTS OF, UPON THE MUNICIPAL OWNERSHIP MOVEMENT, **53**: 71-84.
- STATE REGULATION. CAN THE STATES REGULATE PRIVATE FORESTS? **33**: 510-20.
- STATE REGULATION OF PUBLIC UTILITIES, Vol. **53**.
- STATE REGULATION OF PUBLIC UTILITIES, EFFECT OF, UPON MUNICIPAL HOME RULE, **53**: 85-93.
- STATE REGULATION OF UTILITIES, THE TRUTH ABOUT, IN WISCONSIN, **54**: 303-20.
- STATE-USE SYSTEM, THE, **46**: 138-41.
- STATESMANSHIP, ACQUISITIVE, **61**: 245-51.
- Statistics, **1**: 66; **1**: Sup. Mch., '91, 13-16, 18-22, 24-6, 29-31, 36-82, 89-90, 95-100; **1**: Sup. M., '91, 103, 107-209, 110; **4**: 295, 1008; **5**: 820; **6**: 347; **12**: 149, 359; **13**: 273; **16**: 487; **19**: 489-90; **35**: Sup. Mch., '10, 134-6; **37**: 288; **38**: 106; **41**: 44, 79; **45**: 216-23, 225-31, 234, 236-43; **63**: 263-71.
- STATISTICS, CANADIAN, **45**: 216-44.
- STATISTICS. DEVELOPMENT OF THE CENSUS, **12**: 358-86.
- STATISTICS, CHILD LABOR, **35**: Sup. Mch., '10, 114-26.
- STATISTICS, THE HISTORY, THEORY AND TECHNIQUE OF, Part I, **1**: Sup. Mch., '91; Part II, **1**: Sup. M., '91.
- STATISTICS, OUR LACK OF, **38**: 94-7.
- STATISTICAL PUBLICATIONS OF THE UNITED STATES GOVERNMENT, **2**: 236-48.
- Statistik als selbständige Wissenschaft*, **4**: Sup. Mch., '94, 111.
- STAUBER, DAVID. Attitude of the Distillers and Wholesale Liquor Dealers on the Regulation of the Liquor Traffic, **32**: 539-44.
- Staunton, Va., general manager, **38**: 877-83.
- STAUNTON PLAN, THE, MUNICIPAL GOVERNMENT ADMINISTERED BY A GENERAL MANAGER, **38**: 877-83.
- Steamship lines, **4**: Sup. S., '93, 82; **37**: 739; **42**: 194; **55**: 1-16, 48-193, 206-25; **60**: 53-4.
- STEAMSHIP AGREEMENTS, HISTORICAL DEVELOPMENT OF, AND CONFERENCES IN THE AMERICAN FOREIGN TRADE, **55**: 48-74.
- STEAMSHIP BUSINESS, COMPETITION VERSUS COOPERATION IN THE: PROPOSED LEGISLATION, **55**: 1-16.
- STEAMSHIP CONFERENCES AND AGREEMENTS, THE ADMINISTRATION AND ENFORCEMENT OF, **55**: 112-43.
- STEAMSHIP LINE AGREEMENTS AND AFFILIATIONS IN THE AMERICAN FOREIGN AND DOMESTIC TRADE, **55**: 75-111.
- STEAMSHIP LINES, CONTRACTS BETWEEN, AND SHIPPERS, **55**: 168-84.
- STEAMSHIP LINES, TRAFFIC AGREEMENTS BETWEEN, AND AMERICAN RAILROADS, **55**: 185-93.



- STEELE, H. WIRT. Maryland Child Labor Committee, **32**: Sup. Jy., '08, 130-1.
- Steel, **17**: 562-4; **32**: 284-9.
- STEEL INDUSTRY, LABOR IN THE, **33**: 307-15.
- STEEL CORPORATION, RESULTS OF VOLUNTARY RELIEF PLAN OF UNITED STATES, **38**: 35-44.
- Steffens, Lincoln, **57**: 189.
- Stein, Lorenz, **1**: Sup. Mch., '91, 91; **4**: Sup. Mch., '94, 105-6, 111-13.
- STELZLE, CHARLES. Presbyterian Department of Church and Labor, **30**: 456-60.
- STERRETT, J. E. The Profession of Accountancy, **28**: 16-27.
- Stetson, John B., Company, **22**: 445.
- Stettin, Lloyd, **55**: 63.
- Stewart, James, **4**: Sup. Mch., '94, 28, 31-3, 41.
- STEVENS, F. R. What Farmers Can Do to Facilitate the Transportation and Marketing of Produce, **50**: 37-43.
- STEVENS, FRANK W. Accounting in Public Service Regulation, **53**: 128-34.
- STEVENS, FREDERICK C. Respect for Law in the United States, **36**: 199-206.
- STEVENS, LILLIAN M. N. Work of the National Woman's Christian Temperance Union, **32**: 508-12.
- STEVENS, WILLIAM H. S. The Administration and Enforcement of Steamship Conferences and Agreements, **55**: 112-43; Unfair Methods of Competition and Their Prevention, **63**: 37-54.
- Stevens Fund, Robert L., **41**: 211, 235.
- STEVENSON, GEORGE. Underwriting, **25**: 61-6.
- STEVENSON, KATHARINE LENT. Organization and Accomplishments of the W. C. T. U. in Massachusetts, **32**: 514-18.
- Stewart, Dugald, **4**: Sup. Mch., '94, 33.
- STEWART, ELLA SEASS. Woman Suffrage and the Liquor Traffic, **56**: 143-52.
- STEWART, ETHELBERT. Trade Agreements, **36**: 321-32.
- STICKNEY, W. M. The Consumers' Coöperative Movement in Chicago, **50**: 223-8; Grain Growers Reduce Cost of Distribution, **50**: 203-10.
- STILES, CH. WARDELL. The Rural Health Movement, **37**: 367-70.
- STIMSON, FREDERIC J. Uniform State Legislation, **5**: 829-64.
- Stocks, **8**: 509-14; **14**: 185; **16**: 348, 500; **17**: 385-6, 388-9; **19**: 322-4; **35**: 487, 489-91, 507; **36**: 567; **53**: 13, 42-3, 47-8, 79; **57**: 46; **63**: 209. See Banking, Banks, Bonds, Crisis, Exchanges, Money, Panics.
- STOCK AND BOND LAW, TEXAS, **53**: 162-71.
- STOCKS, CONVERTIBLE BONDS AND, **35**: 579-92.
- STOCK BROKER, THE PURCHASE OR SALE OF SECURITIES THROUGH A, **35**: 506-24.
- STOCKS, ELECTRIC RAILWAY, **35**: 657-73.
- STOCK EXCHANGE, THE, AND THE MONEY MARKET, **36**: 563-73.
- STOCK EXCHANGES, BIBLIOGRAPHY ON SECURITIES AND, **35**: 699-714.
- STOCKS AND THEIR FEATURES—DIVISION AND CLASSIFICATION, **35**: 525-44.
- STOCKS OF FINANCIAL INSTITUTIONS, **35**: 679-88.
- STOCKS AS INVESTMENTS, INDUSTRIAL, **35**: 674-8.
- STOCKS AS INVESTMENTS, PREFERRED, **35**: 545-53.
- STOCKS AS INVESTMENTS, RAILROAD, **35**: 646-56.
- STOCKS AND THE STOCK MARKET, **35**: M., '10.
- STOCK MARKET, THE SCOPE AND FUNCTIONS OF THE, **35**: 483-505.
- STOCK SECURITY VALUES, ECONOMIC CRISES AND, **35**: 636-45.
- STOCK WATERING, ETHICS OF, **8**: 509-14.
- STOCKHOLDERS' RIGHTS, THE DECLARATION AND YIELD OF, **35**: 554-78.
- STOCKHOLDING, DISTRIBUTION OF, IN AMERICAN RAILWAYS, **22**: 475-90.
- STOCKTON, C. H. Factors Affecting the Policy of the United States in the Pacific, **54**: 243-4.
- STOCKWELL, HERBERT G. Appraisements, **25**: 21-31; State and National Examinations of Banks, **36**: 669-92.
- STODDART, BESSIE D. Recreative Centers of Los Angeles, California, **35**: 426-35.
- STODDART, EVELYN L. Child Labor Committee, Juvenile Improvement Association, Los Angeles, California, **38**: Sup. Jy., '11, 156.
- STOKES, J. G. PHELPS. Public Schools as Social Centers, **23**: 457-63.
- STOKES, ROSE H. PHELPS. The Condition of Working Women from the Working Woman's Viewpoint, **27**: 627-37.
- STONAKER, C. L. Prison Labor Reform in New Jersey, **46**: 154-60.
- STONE, ALBERT HOLT. The Negro and Agricultural Development, **35**: 8-15; Negro Labor and the Boll Weevil, **33**: 391-8.
- STONE, GEORGE F. Board of Trade of the City of Chicago, **38**: 507-23.
- STONE, N. I. The Conventional Tariff System, **32**: 367-82; The Double Tariff System, **29**: 478-97.
- Storage, **33**: 660; **50**: 40-2, 165; **55**: 51, 53.
- STOREY, MOORFIELD. The Recall of Decisions, **52**: 13-24.
- STORRS, LUCIUS C. Correctional Work in Michigan, **23**: 472-6.
- STORY, RUSSELL McCULLOCH. Oriental Immigration into the Philippines, **34**: 388-91.
- STOVALL, A. T. Child Labor. Standards Proposed by United States Commission on Uniform Laws, **38**: Sup. Jy., '11, 17-23.
- STOVE MANUFACTURING, CONDITIONS IN, **34**: 457-62.
- STOVE TRADE, THE, **34**: 463-6.
- STOWELL, ELLERY C. The Policy of the United States in the Pacific, **54**: 245-50.
- Strassburger Tucher-und Weberzunft, **4**: Sup. Mch., '94, 121.
- STRATTON, IRA W. State and Local Regulation in Pennsylvania, **57**: 175-85.
- STRAUS, ISIDOR. Causes of the Present Business Situation, **32**: 50-4.
- STRAUS, OSCAR S. America's Possible Contribution to the World's Peace, **60**: 230-4; Results Accomplished by the Industrial Department, National Civic Federation, **20**: 37-42.
- Streets: **10**: 127, 155; **35**: Sup. Mch., '10, 137-44; **38**: Sup. Jy., '11, 105-7; **41**: 291, 302; **50**: 192-4, 205, 207, 244; **51**: 150, 163, 164, 167, 173, 183, 187, 188-90, 192-7, 200, 250, 251; **62**: 130, 152-3; Berlin, **5**: 635;



- lighting, 2: 715; 41: 266, 287, 291; 53: 103, 245; 57: 35-8; New York City, 11: 276; 13: 271; 41: 114; Pittsburgh, 15: 474.
- STREET LAYOUT, THE, 51: 182-91.
- STREET LAYOUT, THE SOCIOLOGY OF, 51: 192-9.
- STREET PLANNING, SUBTERRANEAN, 51: 200-7.
- Street railways: 6: 168, 179, 551, 553; 7: 144; 8: 582, 584; 12: 98, 105; 13: 226; 14: 142, 324; 15: Sup. M., '00, 61, 63-76; 17: 353; 18: 479-85; 27: 111; 29: 275-91; 30: 336-49; 35: 657-73; 37: 3, 14-30, 43-58, 68-87, 104-9, 119-41, 177-82, 191; 51: 154; 53: 12, 50, 76, 98-9, 101, 111-13, 136, 138, 163; 57: 32, 126, 198-201; Berlin, 4: 956-7; 7: 144; 12: 156; 15: 437-40; Birmingham, 14: 143; Boston, 9: 295, 470; 11: 119, 278; 13: 273; 14: 142; Brooklyn, 7: 144; 11: 115; Buffalo, 7: 353; 8: 195; 22: 528; Chicago, 12: 153, 305; 13: 124; 20: 356; 25: 243; 53: 138; Cincinnati, 7: 144; Cleveland, 10: 476; 12: 446; 13: 127-274; 14: 380; 15: 121, 289; 17: 353-4; 57: 80; Colorado, 57: 80-1; Columbus, 18: 479-85; Detroit, 13: 416; 14: 262; 57: 79; employees, 44: 14; England, 10: 131; extensions, 53: 50; fares, 15: Sup. M., '00, 11; franchise, 13: 276; 18: 548; 53: 50; Germany, 27: 37-65; Glasgow, 7: 511; 8: 582; 9: 304; 57: 270; Great Britain, 57: 197-200; Illinois, 12: 153; Indianapolis, 14: 145; Kansas City, 13: 266, 276; London, 7: 144; 9: 474; 13: 277; 27: 66-71; Los Angeles, 53: 113; Madrid, 27: 126; Massachusetts, 5: 995; 11: 423; 12: 304; 13: 226; 14: 382; Mexico, 22: 531-2; Milwaukee, 53: 99-100; Missouri, 10: 297; New Orleans, 7: 144; New South Wales, 22: 386; New York, 6: 551; 7: 144-5; 10: 143, 291; 13: 271, 412; 15: 287; 20: 456; 27: 111-19; Omaha, 7: 144; Paris, 7: 358; Pennsylvania, 11: 277; pensions, 20: 456; Philadelphia, 6: 553; 7: 144, 149, 353; 24: 354-60; 31: 600-11; 33: 858; Providence, 19: 303; 22: 384; rates, 51: 171; Rhode Island, 13: 227; San Francisco, 6: 551; 7: 144; 57: 81; service of, 15: Sup. M., '00, 18; Sheffield, 8: 584; St. Louis, 22: 527; taxation, 14: 170; Toledo, 57: 79; trade agreements, 44: 14; United States, 7: 144; valuation, 37: 119-41; Washington, 7: 144. See Franchises, Transportation.
- STREET RAILWAY POLICY IN BERLIN, 15: 437-40.
- STREET RAILWAY SITUATION IN CHICAGO, THE PRESENT, 20: 356-69.
- STREET RAILWAYS. CHICAGO TRACTION: A STUDY IN POLITICAL EVOLUTION, 28: 385-404.
- STREET RAILWAYS. CHICAGO'S TRANSPORTATION PROBLEM, RECENT PHASES OF, 31: 619-29.
- STREET RAILWAY COMPANIES, RELATION OF CITIES AND TOWNS TO, 12: 98-108.
- STREET RAILWAYS. THREE-CENT FARES, THE COLUMBUS ATTEMPT TO SECURE, 18: 479-85.
- STREET RAILWAY. DEPRECIATION PROBLEM, THE, 37: 31-42.
- STREET RAILWAYS. SURFACE LINES IN LARGE CITIES, METHODS OF INCREASING THE EFFICIENCY OF, 37: 43-58.
- STREET RAILWAYS. ELECTRIC RAILWAYS, RESULT OF FURTHER LEGISLATIVE REGULATION OF, 31: 695-700.
- STREET RAILWAY PROPERTIES, URBAN, THE DECREASING FINANCIAL RETURNS UPON, 37: 14-30.
- STREET RAILWAY FRANCHISES IN MASSACHUSETTS, 27: 91-110.
- STREET RAILWAY TRAFFIC IN LONDON, TRANSPORTATION FACILITIES AND, 27: 66-71.
- STREET RAILWAYS, MUNICIPAL OWNERSHIP AND OPERATION OF, IN GERMANY, 27: 37-65.
- STREET RAILWAYS. TRANSIT CONTROL IN NEW YORK CITY, DEVELOPMENT OF, 31: 552-75.
- STREET RAILWAYS IN PHILADELPHIA SINCE 1900, 24: 354-60.
- STREET RAILWAYS. PHILADELPHIA'S RELATION TO RAPID TRANSIT COMPANY, 31: 600-11.
- STREET RAILWAYS. ECONOMIC FACTORS IN THE SELECTION OF CARS FOR URBAN SERVICE, 37: 82-7.
- STREET RAILWAY PROBLEMS, EDUCATING THE PUBLIC TO A PROPER APPRECIATION OF URBAN, 37: 104-9.
- STREET RAILWAY PROPERTY, VALUATION OF INTANGIBLE, 37: 119-41.
- STREET RAILWAY COMPANIES, REGULATION OF COST AND QUALITY OF SERVICE AS ILLUSTRATED BY, 15: Sup. M., '00, 61-76.
- STREET RAILWAY SERVICE, SUPERVISING ENGINEERS AND, 37: 191-202.
- STREET RAILWAY SERVICES IN NEW YORK CITY, THE GAS, ELECTRIC LIGHT, WATER AND, 27: 111-31.
- STREET RAILWAY SYSTEM, DEVELOPMENT OF, NEW YORK, PHILADELPHIA, CHICAGO, SAN FRANCISCO, CINCINNATI, 6: 551-6.
- STREET RAILWAY TRANSPORTATION, PUBLIC REGULATION OF, 29: 275-9.
- STREET RAILWAYS IN THE UNITED STATES, NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS, WASHINGTON, OMAHA, LONDON, BERLIN, 7: 144-61.
- STREET RAILWAYS. SURFACE LINES, METHODS OF INCREASING THE EFFICIENCY OF, IN LARGE CITIES, 37: 43-58.
- STREET RAILWAY PROBLEMS, URBAN, EDUCATING THE PUBLIC TO A PROPER APPRECIATION OF, 37: 104-9.
- STREET RAILWAYS. URBAN TRANSPORTATION PROBLEM, THE: A GENERAL DISCUSSION, 37: 3-13.
- STREET TRADES, 38: Sup. Jy., '11, 108-10.
- STREET TRADES AND REFORMATORIES, 38: Sup. Jy., '11, 105-7.
- Strikes: 19: 317-20; 26: 740-5; 36: 326, 382-3; 42: 16, 23, 149, 210, 213; 44: 1, 2, 5, 9, 34, 46, 107, 115, 141; 48: 32; 59: 172-3; Australia, 36: 208; 37: 217; coal, 36: 348; coast and suit industry, 44: 40; electric railways, 37: 93-103. See Boycotts, Labor unions, Lockouts.
- STRIKE, THE ANTHRACITE COAL, 17: 15-52.
- STRIKE PROBLEM, THE, UPON ELECTRIC RAILWAYS, 37: 93-103.

- STRIKES, A SUGGESTION FOR THE PREVENTION OF**, 26: 740-5.
- STRIKE, THE SYMPATHETIC**, 36: 391-6.
- STROEVER, CARL**. Utility and Cost as Determinants of Value, 10: 334-58.
- STUART, EDWIN S.**, 57: 1-2.
- SUBERCASEAUX, GUILLERMO**. The Monetary System of Chile, 37: 683-706.
- Subsidies**, 17: 560; 37: 591, 741; 41: 179; 42: 194. See Transportation, Water.
- SUBURBAN DEVELOPMENT**, 51: 234-8.
- Subways**: 37: 59-67; 51: 156, 157, 202; 57: 30; Boston, 12: 445; lighting, 57: 41; New York, 51: 156.
- SUBWAY LINES, THE INVESTIGATION OF TRAFFIC POSSIBILITIES OF PROPOSED**, 37: 59-67.
- Sue, Eugene**, 1: Sup. Mch., '91, 73.
- Suez Canal**, 7: 44, 46; 11: 57; 39: 42, 132. See Canals.
- SUEZ CANAL, THE NEUTRALIZATION OF THE**, 17: 409-30.
- Suffrage**: 9: 234; 11: 175; 16: 244; 19: 408-31; 28: 417; 29: Sup. Mch., '07, 7, 15, 24, 25, 26, 68, 86; 35: Sup. M., '10, 7, 9, 16-18, 28, 29; 49: 95, 97, 98; 56: 2, 13, 35-7, 55, 93-5, 100-15, 121, 123, 124, 134-42, 153-6; colonies, 19: 408-31; Colorado, 18: 552; England, 56: 134-40; France, 6: 17-32; Iceland, 56: 93; Idaho, 19: 147-8; Louisiana, 13: 213; 15: 164; Minnesota, 13: 215; Mississippi, 15: 212; Negroes, 15: 493; 18: 99; North Dakota, 11: 176; South, 13: 213; 15: 164; South Carolina, 7: 303; 13: 212; South Dakota, 11: 176; 13: 215; Utah, 19: 145-7; Washington, 13: 215. See England, Equal suffrage, Woman suffrage, Women.
- SUFFRAGE IN COLONIES, CONDITIONS AFFECTING THE**, 19: 408-31.
- SUFFRAGE, EQUAL—A PROBLEM OF POLITICAL JUSTICE**, 56: 93-8.
- SUFFRAGE, WOMAN, AND THE LIQUOR TRAFFIC**, 56: 143-52.
- SUFFRAGE, THE LOGICAL BASIS OF WOMAN**, 35: Sup. M., '10, 10-15.
- SUFFRAGE MOVEMENT, THE MILITANT**, 56: 134-42.
- SUFFRAGE MOVEMENT, SIGNIFICANCE OF THE WOMAN**, 35: Sup. M., '10.
- SUFFRAGE CAMPAIGN, EQUAL, IN PENNSYLVANIA**, 56: 153-60.
- SUFFRAGE, WOMAN, OPPOSED TO WOMAN'S RIGHTS**, 56: 99-104.
- Sugar**, 22: 171-87; 42: 81, 238, 323.
- SUGAR-BEET CULTURE IN THE UNITED STATES, CONDITIONS AFFECTING**, 22: 171-87.
- SUGAR CANE. THE SUGAR CANE INDUSTRY**, 35: 25-36.
- SUIT AND SKIRT INDUSTRY, THE JOINT BOARD OF SANITARY CONTROL IN THE CLOAK, OF NEW YORK CITY**, 44: 39-58.
- Supplies**, 41: 84, 94, 98; 61: 203; 62: 259.
- Supreme Court**, 1: 233-42; 10: 241-51; 16: 406; 18: 226-50; 29: Sup. Mch., '07; 42: 85, 145, 157, 238, 249, 251, 257, 277, 293, 311. See Courts.
- SURFACE, GEORGE T.** The Negro Mine Laborer—Central Appalachian Coal Field, 33: 338-52; The Southern Appalachian Park Reserve as a National Playground, 35: 401-8; The Sugar Cane Industry, 35: 25-36.
- Surplus**, 3: 195; 4: 387, 391; 5: 90-103; 6: 18-20; 18: 426; 44: Sup. N., '12, 15-17, 21, 39, 45, 47; 50: 63; 53: 179; 61: 185.
- "Survey, The,"** 41: 186, 191.
- Süssmilch, Johann P.**, 4: Sup. Mch., '94, 19, 32.
- SUTLIFF, PHEBE T.** Child Labor League of Warren, O., 32: Sup. Jy., '08, 141-2; Warren (Ohio) Child Labor Committee for 1908, 33: Sup. Mch., '09, 191; Warren (Ohio) Child Labor League, 35: Sup. Mch., '10, 183-4; 38: Sup. Jy., '11, 178.
- SWAN, CHARLES HERBERT**. Enterprise Liability for Industrial Injuries, 38: 257-61; Impersonal Taxation, 30: Sup. S., '07.
- SWAN, HERBERT S.** Sources of Revenue, 62: 125-35.
- SWAN, JOHN M.** Tropical Diseases and Health in the United States, 37: 394-411.
- Sweating**, 6: 345; 28: 272; 48: 3, 26, 27, 31, 37.
- SWEATING OR THIRD DEGREE SYSTEM, THE**, 36: 9-10.
- Sweden**: 1: Sup. Mch., '91, 66; 15: 141, 304; glass, 15: 485; industrial accidents, 15: 141; labor, 15: 141; tobacco, 15: 485.
- SWEDEN. FOREIGN RAILWAY EVENTS IN 1902-3**, 23: 121-40.
- SWIFT, EDGAR JAMES**. Missouri Child Labor Committee, 32: Sup. Jy., '08, 134.
- Swine**, 59: 13-15.
- Switzerland**: 1: Sup. Mch., '91, 68; 3: 346, 438, 785-809; 4: 490, 492; 6: 361-78, 392; 9: 166; 12: 79; 13: 143-72, 291-322; 43: 69, 81, 82, 110-14, 122-3, 125, 127-30, 135, 137, 139, 204; alcohol, 3: 429-43; democracy, 6: 361-78; immigration, 33: 376; 48: 75-6; initiative and referendum, 2: 324; 6: 345, 367; 43: 69, 110-45; railways, 13: 143-72, 291-322; 19: 86; recall, 43: 110-45; unemployment, 9: 166; voting, 6: 378; wages, 17: 548; water, 33: 597-601.
- SWITZERLAND, ALCOHOL QUESTION IN**, 3: 429-43.
- SWITZERLAND, THE INITIATIVE, REFERENDUM AND RECALL IN**, 43: 110-45.
- SWISS DEMOCRACY, RECENT POLITICAL EXPERIMENTS IN THE**, 6: 361-80.
- SWITZERLAND, FEDERAL CONTROL OF WATER POWER IN**, 33: 597-601.
- SWISS RAILWAY, THE REGULATION AND NATIONALIZATION OF THE, I**, 13: 143-72.
- SWISS RAILWAY, THE REGULATION AND NATIONALIZATION OF THE, II**, 13: 291-322.
- SYLVESTER, RICHARD**. The Treatment of the Accused, 36: 16-19.
- Syndicalism**, 44: 116, 117, 144; 48: 250.
- SYNDICALISM, STANDPOINT OF**, 44: 114-18.
- Syne, David**, 4: Sup. Mch., '94, 12.
- System der Volkswirtschaft**, 4: Sup. Mch., '94, 88, 113.
- System des erworbenen Rechts**, 4: Sup. Mch., '94, 96.
- TAFT, WILLIAM H.** The Administration's Theory of a Constructive Policy Concerning Combinations, 42: 273-6; Political Parties in the Philippines, 20: 307-12. See also 43: 274-5; 54: 134; 56: 100; 62: 27-8.

- TAGALS, THE—THE RACES OF THE PHILIPPINES, 18: 21-42.
- TAI-CHI QUO. The Chinese Revolution, 39: 11-17.
- TALBERT, JOSEPH T. The Sherman Anti-Trust Law and the Business of the Country, 42: 219-37.
- Tampa, Fla., 29: 385.
- TARBELL, IDA M. The Cost of Living and Household Management, 48: 127-30.
- Tariff: 1: 344-9; 3: 197; 4: Sup. S., '93, 58-60; 6: 103, 116; 15: Sup. M., '00, 169, 189-99; 16: 153; 23: 12-42, 63-7; 26: 12; 29: 328, 447, 450, 517-19, 542, 553-8; 32: 113, 265, 290, 295-9, 313, 340, 409-31, 434-9; 34: 468, 473; 42: 161, 176, 179, 182, 183, 197, 229, 238, 244, 267; 45: 29, 30, 32, 35, 37; 48: 246; 53: 5, 39, 51; 55: 12, 129-43, 208-12; 58: 12-14; 59: 238; agriculture, 29: 522; Canada, 32: 339; 45: 31; combinations, 15: Sup. M., '00, 100; Cuba, 32: 321-9; Dingley, 32: 271-83; export trade, 23: 1; foreign trade, 29: 498-514, 537, 542-52; France, 32: 273; Germany, 32: 313-97; hardware, 32: 290; hosiery, 34: 541; lumber, 34: 515; meats, 29: 537; Mexico, 32: 433; Philippine Islands, 23: 12-25; 30: 83; 32: 363-6; Porto Rico, 15: Sup. M., '00, 173; preferential, 32: 335; 45: 46; protective, 45: 31; 60: 139; reciprocity, 23: 55-83; revision, 29: 474, 529, 542; steel, 34: 501; stove, 34: 461; woolen, 34: 478. See Exports, Foreign trade, Reciprocity.
- TARIFF AND THE PRICE OF AGRICULTURAL MACHINES, THE, 29: 522-7.
- TARIFF. COMMERCIAL RELATIONS OF THE UNITED STATES WITH CANADA, 32: 330-42.
- TARIFF, WHAT PROVISIONS OF THE DINGLEY, REQUIRE REVISION? 32: 271-83.
- TARIFF, THE, AND THE EXPORT TRADE OF THE UNITED STATES, 23: 1-11.
- TARIFF AND OUR FOREIGN TRADE IN MEATS, THE, 29: 537-41.
- TARIFF AND OUR FOREIGN TRADE IN ELECTRICAL APPARATUS, THE, 29: 542-52.
- TARIFF AND ITS RELATION TO THE GRAIN TRADE, OUR, 29: 528-36.
- TARIFF, HIDES, LEATHER, BOOTS AND SHOES AND THE, 32: 295-9.
- TARIFF. IMPORT DUTIES: HOW THEY SHOULD BE LEVIED, 32: 429-33.
- TARIFF, THE LEATHER INDUSTRY AND THE, 29: 553-5.
- TARIFF, THE, AND THE LUMBER TRADE, 29: 556-8.
- TARIFF, THE MAXIMUM AND MINIMUM, 32: 394-8.
- TARIFF OF 1828, THE MINIMUM PRINCIPLE IN THE, AND ITS RECENT REVIVAL, 6: 100-16.
- TARIFF ACT, THE UNDERWOOD, AS A PRODUCER OF REVENUE, 58: 12-14.
- TARIFF COMMISSION, A PERMANENT, 32: 409-28.
- TARIFF COMMISSION, AN ARGUMENT FOR A PERMANENT EXPERT, 32: 434-9.
- TARIFF MAKING—FACT AND THEORY, 32: 399-408.
- TARIFF POLICY, THE, OF OUR NEW POSSESSIONS, 15: Sup. M., '00, 169.
- TARIFF PROBLEMS—AMERICAN AND BRITISH, 23: J., '04.
- TARIFF PROVISIONS FOR PROMOTION OF FOREIGN TRADE OF THE UNITED STATES, 29: 498-514.
- TARIFF RATES ON HARDWARE, 32: 290-4.
- TARIFF RATES, WHAT OUGHT THE, TO BE ON IRON AND STEEL MANUFACTURES? 32: 284-9.
- TARIFF RATES, WHAT OUGHT THE, TO BE ON PAPER AND PULP? 32: 300-9.
- TARIFFS, RECIPROCITY AND FOREIGN TRADE, 29: M., '07.
- TARIFF REFORM, THE NEXT STEPS IN THE, 15: Sup. M., '00, 185-99.
- TARIFF RELATIONS WITH CUBA—ACTUAL AND DESIRABLE, 32: 321-9.
- TARIFF RELATIONS WITH MEXICO, NOTES ON OUR, 32: 343-7.
- TARIFF RELATIONS OF THE UNITED STATES AND THE PHILIPPINE ISLANDS, 23: 12-25.
- TARIFF RELATIONS WITH THE PHILIPPINES, OUR—ACTUAL AND DESIRABLE, 32: 363-6.
- TARIFF REVISION, 32: S., '08.
- TARIFF REVISION A PUBLIC NECESSITY, 32: 265-70.
- TARIFF REVISION AND PROTECTION FOR AMERICAN LABOR, 32: 315-20.
- TARIFF SYSTEM, THE CONVENTIONAL, 32: 367-82.
- TARIFF SYSTEM, THE DOUBLE, 29: 478-97.
- TARIFF SYSTEM, RECIPROCITY IN THE AMERICAN, 23: 55-83.
- TATUM, SLEDGE. Reclamation and Drainage, 35: 77-80.
- TAUSSIG, B. J. Results Obtainable Through Reorganization of Accounting Methods, 41: 57-63.
- Taxation: 1: 196; 3: 622; 4: Sup. Mch., '94, 28, 130; 6: 79-99; 9: 244; 10: 241; 11: 190, 430; 12: 59; 13: 215, 229, 413; 14: 164; 15: 374; 15: Sup. M., '00, 21; 19: 160-2; 22: 315; 26: 645; 28: 155-70; 29: 7, 9, 25; 29: Sup. Mch., '07, 57-8; 30: Sup. S., '07, 27-44; 32: 595; 35: Sup. M., '10, 17-18; 42: 104-5; 47: 213-26; 51: 102; 57: 183; 58: 1-5, 11, 16, 25, 36, 40-1, 48-9, 50, 53, 56-7, 59-64, 92-3, 95, 97-101, 104-12, 115-19, 121-30, 133-5, 138-9, 144, 148, 158, 161, 166-74, 179-84, 189-90, 194-7, 203, 208, 214-15, 217-18; 59: 153-4, 156; 61: 252-3, 255-6; 62: 1-2, 123, 125-6, 128-9, 199; Boston, 16: 156; Buffalo, 28: 155; budget, 62: 113-24; buildings, 58: 183-224; capital, 3: 454-5; capitalization, 45: 9-10, 101-2, 104, 110; China, 39: 88; Cincinnati, 7: 354, 356; Colorado, 58: 224; Connecticut, 58: 121, 124; corporations, 14: 157-80; 19: 165; 35: 3; 58: 60; Detroit, 28: 331; District of Columbia, 31: 672; Duluth, 28: 168; England, 58: 3, 22, 38, 77; 62: 208-9; excise, 41: 95; exemption, 58: 189-93; express companies, 14: 164; 15: 371; Florida, 58: 121-4; franchises, 14: 136; 30: Sup. S., '07, 64-81; 58: 145-6; Germany, 62: 199; Glasgow, 11: 430; 15: Sup. M., '00, 9; Grand Rapids, 28: 161; Great Britain, 50: 50; Holland, 28: 170; Indiana, 47: 203; land, 58: 209, 214-21, 223; Louisville, 7: 67; Maine,

- 58: 121; Maryland, 58: 121; Michigan, 58: 121-6; Milwaukee, 28: 164; Minnesota, 58: 121-6; Missouri, 47: 53; monopolies, 4: 764-89; New Hampshire, 55: 121-7; New Orleans, 28: 329; New York, 6: 333; 22: 380-1; 58: 183; North Dakota, 58: 121, 127; Omaha, 6: 175; 16: 157; Oregon, 58: 121; Paris, 7: 358; 13: 132; Pennsylvania, 3: 837; 4: 805; 58: 161; Philadelphia, 19: 491; Philippine Islands, 21: 144-7; Pittsburgh, 58: 167-224; Pottsville, 11: 122; profits, 3: 456-60; property, 62: 116, 117, 119, 121-3; Prussia, 62: 202; public service, 57: 13; public utility, 58: 148; railroads, 58: 61; real estate, 51: 31-40; regulation, 42: 236; Rhode Island, 58: 121-8; Seattle, 28: 167; single tax, 51: 234-6, 238, 239; South Dakota, 58: 21, 127-8; unearned increment, 58: 202-13; utilities, 58: 148; Vermont, 58: 121; Washington, D. C., 28: 165; West Virginia, 58: 121, 129; Wisconsin, 58: 101, 121, 128-9.
- TAXATION IN AMERICAN CITIES, 28: 155-72.
- TAXATION, NEWER TENDENCIES IN AMERICAN, 58: 1-11.
- TAXATION OF CORPORATIONS IN THE UNITED STATES, THE, 19: 165-84.
- TAXATION, THE EXTENT AND EVILS OF DOUBLE, IN THE UNITED STATES, 58: 105-11.
- TAXATION, ETHICAL BASIS OF DISTRIBUTION AND ITS APPLICATION TO, 6: 79-99.
- TAXATION OF LARGE ESTATES, 4: 82-90.
- TAXATION, THE RELATION BETWEEN FEDERAL AND STATE, 58: 59-64.
- TAXATION, FINANCIAL CONTROL: CAPITALIZATION, METHODS OF ACCOUNTING AND, 15: Sup. M., '00, 21.
- TAXATION, THE HOUSTON PLAN OF, 58: 194-7.
- TAXATION, ORIGIN AND GROWTH OF, IN JAPAN, 3: 82-8.
- TAXATION, LOCAL, IN OHIO, ADMINISTRATION OF, 47: 182-98.
- TAXATION, THE HEAVIER LAND TAX, 58: 198-201.
- TAXATION, IMPERSONAL, 30: Sup. S., '07.
- TAXATION IN PITTSBURGH, THE DISPROPORTION OF, 58: 168-82.
- TAXATION OF LAND AS A REMEDY FOR UNEMPLOYMENT, 59: 148-56.
- TAXATION, RELATION OF, TO MONOPOLIES, 4: 764-89.
- TAXATION, MUNICIPAL, IN RELATION TO SPECULATIVE LAND VALUES, 58: 214-21.
- TAXATION AND THE MUNICIPAL BUDGET, 62: 113-24.
- TAXATION, LOCAL, IN OHIO, ADMINISTRATION OF, 47: 182-98.
- TAXATION. THE PENNSYLVANIA TAX CONFERENCE, 4: 805-9.
- TAXATION, THE DISPROPORTION OF, IN PITTSBURGH, 58: 168-82.
- TAXATION OF INTANGIBLE PROPERTY, 58: 95-104.
- TAXATION, WHAT PROPERTIES SHOULD BE EXEMPT FROM, 58: 189-93.
- TAXATION OF PUBLIC UTILITIES, 58: 140-8.
- TAXATION OF QUASI-PUBLIC CORPORATIONS IN THE STATE OF OHIO AND THE FRANCHISE TAX, 14: 157-80.
- TAXATION, READJUSTMENTS IN, Vol. 58.
- TAXATION OF REAL ESTATE VALUES AND ITS EFFECT ON HOUSING, 51: 34-40.
- TAXATION, SCIENTIFIC, WAR—OR, 61: 252-6.
- TAXATION, SELIGMAN'S (E. R. A.) SHIFTING AND INCIDENCE OF, 3: 444-63.
- TAXATION, THE SINGLE TAX, 58: 222-7.
- TAXATION, STATE, THE RELATION BETWEEN FEDERAL AND, 58: 59-64.
- TAXATION, STATE SUPERVISION OF COUNTY ASSESSMENT AND, 47: 213-26.
- TAXATION OF TRANSPORTATION COMPANIES, TENDENCIES IN THE, IN THE UNITED STATES, 15: 355-80.
- TAXATION, WAR—OR SCIENTIFIC, 61: 252-6.
- Taxes: 26: 644; 30: Sup. S., '07, 82-106; 41: 48, 53, 73, 249, 300; 58: 1, 7, 59, 87, 99, 102, 103, 113, 114, 131, 136, 144-7, 186, 214, 223; 61: 255; 62: 115, 118-21, 123, 125, 126, 128, 148, 152, 208-9; corporation, 58: 3; direct, 6: 268-79; 43: 47; England, 62: 208-9; European war, 59: 299; 60: 12-13; exemption, 43: 6; franchises, 14: 157-80; 58: 145-6; Germany, 58: 3; impersonal, 30: Sup. S., '07, 150; income, 30: Sup. S., '07, 82-106; 58: 13, 77; increment, 58: 207; inheritance, 29: Sup. Mch., '07, 26-7, 57, 86; 30: Sup. S., '07, 110, 125, 127, 130; 58: 87-94, 145-6; 62: 195; insurance, 58: 131; liquor, 4: 573-4; Negroes, 49: 30; New York, 13: 270; 51: 36, 38; 58: 9-10; North Carolina, 58: 121; Omaha, 16: 157; Philadelphia, 19: 491; 41: 65; profits, 26: 652; property, 30: Sup. S., '07, 45-63; 47: 182-94; 58: 1-2, 190-2; 62: 115, 120, 134, 202-3; real estate, 62: 115-25; stamp, 30: Sup. S., '07, 107; street railways, 14: 170; unearned increment, 58: 202; Washington, 58: 121; Wyoming, 58: 121. See Taxation.
- TAX ON BUILDINGS, REDUCTION OF, IN THE CITY OF NEW YORK, 58: 183-8.
- TAX CONFERENCE, PENNSYLVANIA, 4: 805-9.
- TAX, AMENDING THE FEDERAL INCOME, 58: 32-43.
- TAX, SOME ASPECTS OF THE INCOME, 58: 15-31.
- TAX, THE INHERITANCE, 58: 87-94.
- TAX, THE HEAVIER LAND, 58: 198-201.
- TAXABLE SUBJECTS, THE CENTRAL CONTROL OF THE VALUATION OF, 58: 112-30.
- TAX, TAXATION OF QUASI-PUBLIC CORPORATIONS IN THE STATE OF OHIO AND THE FRANCHISE, 14: 157-80.
- TAX, SINGLE, 58: 222-8.
- TAX, UNEARNED INCREMENT, ANNUAL REASSESSMENT VERSUS THE, 58: 202-13.
- TAX, THE WISCONSIN INCOME, 58: 65-76.
- TAX, THE WISCONSIN INCOME, 58: 77-86.
- TAYLOR, A. MERRITT. Philadelphia's Transit Problem, 57: 28-32.
- TAYLOR, FRED M. The Law of Nature, 1: 558-85.
- Taylor, Frederick W., 44: 61, 63, 65, 69, 134; 57: 92.
- TAYLOR, GRAHAM. Parental Responsibility for Child Labor, 27: 354-6; Recreation Developments in Chicago Parks, 35: 304-21.



- TAYLOR, HENRY C. Conditions Affecting Sugar-Beet Culture in the United States, **22**: 179-87. *See also* **50**: 232.
- TAYLOR, W. G. L. A Misguided Philosopher in the Field of Economics, **11**: 227-34; Fisher's "The Purchasing Power of Money," **42**: 334-9; Protection, Expansion and International Competition, **23**: 26-42; Values, Positive and Relative, **9**: 70-106.
- Teachers: China, **39**: 89-95; compensation, **8**: 198; country schools, **56**: 78, 79; foreign, **39**: 95; Negro, **49**: 15; pensions, **8**: 198; women, **25**: 120.
- TEACHER, THE, AND THE STATE, **22**: 249-56.
- Technical schools, *see* Education, Schools.
- Telegraph, **12**: 198; **42**: 96; **55**: 21.
- Telegraph als Verkehrsmittel, **4**: Sup. Mch., '94, 115.
- Telephones: **40**: 62; **42**: 324; **50**: 86, 227; **53**: 66, 67, 73, 95, 111, 113; **57**: 126; **59**: 88-9; Australia, **12**: 201; Duluth, **18**: 549; New Orleans, **15**: 474; New York City, **53**: 66-7; Wisconsin, **57**: 146.
- TELEPHONE RATES FOR NEW YORK CITY, LOWER, **53**: 66-70.
- Temperance, **2**: 59-68; **7**: 371; **32**: 482-507. *See* Alcohol, Liquor, Local option, Prohibition.
- TEMPERANCE. THE RESULT OF THE TEACHING OF THE EFFECT OF ALCOHOL ON THE HUMAN SYSTEM, **32**: 604-11.
- TEMPERANCE UNION, THE WORK OF THE NATIONAL WOMAN'S CHRISTIAN, **32**: 508-12.
- Tenants, **4**: 275-91; **8**: 595; **11**: 124; **49**: 55; **50**: 180.
- TENANTS. FARM TENANCY IN THE UNITED STATES, **40**: 29-39.
- TENANT SYSTEM AND SOME CHANGES SINCE EMANCIPATION, THE, **49**: 38-46.
- Tenements: **3**: 330-62; **17**: 162; **17**: Sup. J., '01, 23; **18**: 379-82; **20**: 652; **21**: Sup. J., '03, 58; **51**: 1, 3, 42, 45, 194; Buffalo, **21**: 318-20; Glasgow, **8**: 578; Jersey City, **21**: Sup. J., '03, 3, 8; London, **7**: 512; New Jersey, **51**: 10; New York, **8**: 409; **15**: 138; **16**: 164; **17**: 160-3; **51**: 10, 100, 102; New York City, **7**: 352; **8**: 409; **10**: 487; **20**: 637-8; **23**: 170; **51**: 118-23; Philadelphia, **20**: 114. *See* Housing.
- TENEMENT-HOUSES, **5**: 817-18.
- TENEMENTS IN LONDON, MODEL, **7**: 512.
- TENEMENT-HOUSE REFORM, RECENT PROGRESS IN, **23**: 297-310.
- TENEMENT HOUSE REGULATION: THE REASONS FOR IT: ITS PROPER LIMITATIONS, **20**: 83-95.
- Tennessee: **4**: Sup. S., '93, 126, 127; **16**: 93; **21**: 495; **29**: Sup. Mch., '07, 63, 67; **36**: 633; **42**: 87, 157, 329; **52**: 18; child labor, **27**: 260-1; commission government, **38**: 692; convict labor, **46**: 80; Negroes, **9**: 314; **49**: 6; pensions, **18**: 485.
- TENNESSEE, EDUCATIONAL WORK IN, **22**: 284-6.
- TENNESSEE, THE STATE MILITARY PENSION SYSTEM OF, **18**: 485-90.
- Terminals, **50**: 114, 248; **51**: 226; **55**: 32, 226, 242; **59**: 245-50, 253, 255-8.
- TERMINAL FACILITIES, THE BRITISH SYSTEM OF IMPROVING AND ADMINISTERING PORTS AND, **24**: 507-24.
- Terminal markets, **48**: 146, 209; **50**: 104, 105, 114, 153-65. *See* Markets.
- TERMINAL MARKETS, COMMUNAL BENEFITS FROM THE PUBLIC CONTROL OF, **48**: 149-53.
- TERMINAL MARKETS, WHOLESALE, IN GERMANY AND THEIR EFFECT ON FOOD COSTS AND CONSERVATION, **50**: 153-65.
- TERMINAL PORT, THE MODERN, **59**: 245-58.
- TERMINALS, WATER, IN THE UNITED STATES AND THEIR CONTROL, **55**: 237-42.
- TERRELL, PARK. Protection of Municipal Bonds, **30**: 396-9.
- Territories, **16**: 404, 416; **29**: Sup. Mch., '07, 15, 16.
- Texas: **16**: 93; **20**: 571-601; **29**: Sup. Mch., '07, 16, 37, 57, 60, 67, 74; **39**: 155; **53**: 162-71; commission government, **38**: 740; convict labor, **21**: 426-37; railroads, **22**: 225-34; **53**: 162, 166; stock and bond law, **53**: 162-71; taxation, **58**: 121, 128; wages, **3**: 460-1.
- TEXAS, THE CONVICT LABOR SYSTEM OF, **21**: 426-37.
- TEXAS, RAILWAY REGULATION IN, **32**: 225-34.
- TEXAS STOCK AND BOND LAW, **53**: 162-71.
- Textile industry, **44**: 141, 142. *See* Child labor.
- THAYER, WALTER. Transportation on the Great Lakes, **31**: 126-38.
- Theatres, **22**: 534. *See* Amusement, Recreation.
- Theism, **1**: 569.
- Theorie der Produktivkräfte, **4**: Sup. Mch., '94, 63.
- Theorie des Geldes, **4**: Sup. Mch., '94, 58.
- Theorie des quatre mouvements, **4**: Sup. Mch., '94, 76.
- Thierry, A., **4**: Sup. Mch., '94, 73, 75-6, 131.
- Third degree, *see* Criminal law, Sweating.
- THIRD DEGREE SYSTEM, ADMINISTRATION OF CRIMINAL LAW—, **36**: 11-15.
- THIRD DEGREE SYSTEM, THE SWEATING OR, **36**: 9-10.
- Thirty Years' War, **4**: Sup. Mch., '94, 15.
- THOMAS, DAVID Y. The Need of Agricultural Education, **35**: 150-5.
- Thomas, Judge W. H., **49**: 78.
- THOMPSON, C. W. Relation of Jobbers and Commission Men to the Handling of Produce, **50**: 57-68.
- THOMPSON, HOLLAND. Effects of Industrialism upon Political and Social Ideas, **35**: 134-42.
- Thompson, William, **4**: Sup. Mch., '94, 46, 48, 86, 98.
- THOMSON, E. H. Profits that Farmers Receive, **50**: 175-82.
- Thornton, W. T., **4**: Sup. Mch., '94, 80, 128.
- THORPE, FRANCIS N. What is a Constitutional History of the United States? **19**: 259-65; Recent Constitution-Making in the United States, **2**: 145-201.
- THRIFT, JAMES F. Baltimore's Markets, **50**: 119-27.
- von Thünen, J. H., **4**: Sup. Mch., '94, 54-6; **18**: 368.
- Tibet, **39**: 137.
- TIDEWATER COUNTIES, DEVELOPMENT IN THE, OF VIRGINIA, **49**: 28-31.



- TIEDEMAN, C. G.** The Income Tax Decisions as an Object Lesson in Constitutional Construction, **6**: 268-79; Silver Free Coinage and the Legal Tender Decisions, **9**: 198-211.
- TIFFENTHALER, LEO.** The Milwaukee Municipal Market, **50**: 132-3.
- TIMBER**, **12**: 209; **17**: 562; **41**: Sup. M., '12, 1, 2, 6, 9, 10, 11, 13, 17, 18, 21, 23, 24, 34, 44, 46, 51, 53, 57, 59, 60, 64, 74, 76, 80; **58**: 155-7.
- TIMBER BOND FEATURES**, **41**: Sup. M., '12, 1-8.
- TIMBER BONDS AS INVESTMENT SECURITIES**, **41**: Sup. M., '12.
- TIMBER BONDS AS INVESTMENTS**, **41**: Sup. M., '12, 45-50.
- TIMBER BONDS AS INVESTMENTS FOR INSURANCE COMPANIES**, **41**: Sup. M., '12, 70-5.
- TIMBER BONDS AS LEGAL INVESTMENTS FOR MICHIGAN SAVINGS BANKS**, **41**: Sup. M., '12, 59-61.
- TIN-PEDDLER, THE UNAPPRECIATED: HIS SERVICES TO EARLY MANUFACTURERS**, **46**: 183-8.
- TING-FANG, WU.** The Significance of the Awakening of China, **36**: Sup. Jy., '10, 27-31; China's Relation with the West, **13**: Sup. M., '99, 168-76; Causes of the Unpopularity of the Foreigner in China, **17**: 1-14. *See also* **39**: 32.
- Tobacco**, **4**: 573; **15**: 485; **42**: 81, 301; **50**: 186-7; **59**: 19.
- TOIL, SOME OF THE ULTIMATE PHYSICAL EFFECTS OF PREMATURE**, **29**: 19-25.
- Toledo**, **13**: 275; **38**: 535, 545-70; **57**: 79.
- TOLEDO, THE EXCHANGES OF MINNEAPOLIS, DULUTH, KANSAS CITY, MO., OMAHA, BUFFALO, PHILADELPHIA, MILWAUKEE AND**, **38**: 545-70.
- Tolls**, **4**: Sup. S., '93, 103-9. *See* Transportation, Waterways.
- TOMKINS, CALVIN.** The Water Front and the City Plan, **51**: 222-7.
- TOMPKINS, D. A.** Import Duties: How They Should Be Levied, **32**: 429-33.
- Tonnage**, **55**: 19-20.
- Tonti, Lorenzo**, **1**: Sup. Mch., '91, 33.
- Tooke, Thomas**, **4**: Sup. Mch., '94, 127.
- Toronto**: **8**: 200; **10**: 479; **57**: 112, 117, 247-9, 252, 262; **58**: 200; **62**: 211-21; budget, **62**: 214, 217; Bureau of Municipal Research, **62**: 217-18; electricity, **57**: 246-53, 266; highway, **10**: 479; lighting, **57**: 249-51; municipal ownership, **57**: 6.
- TORONTO, THE MOVEMENT FOR IMPROVED FINANCING AND ACCOUNTING PRACTICE IN**, **62**: 211-22.
- TORONTO, THE HYDRO-ELECTRIC SYSTEM IN**, **57**: 246-53.
- Torren**, **2**: 48.
- Totemism**, **3**: 59-61; **14**: 274; **17**: 359-61, 545.
- TOTEMISM, THE MEANING OF**, **23**: 518-28.
- TOUSLEY, E. M.** What Coöperative Societies May Accomplish in Lowering Food Distribution Costs, **50**: 229-39.
- TOWER, CHARLEMAGNE.** The Development of Germany as a World Power, **35**: Sup. J., '10, 3-6.
- Town planning**, **51**: 17-24, 172-81, 259-64. *See* City planning.
- TOWN PLAN, RELATION BETWEEN THE SMALL HOUSE AND THE**, **51**: 148-53.
- TOWN PLANNING, HOUSING AND**, Vol. **51**.
- TOWN PLANNING, BIBLIOGRAPHY ON**, **51**: 259-64.
- TOWN PLANNING, THE RELATION OF LAND VALUES AND**, **51**: 17-24.
- TOWN-PLANNING LIBRARY**, **51**: 259-64.
- TOWN-PLANNING MOVEMENT IN AMERICA, THE**, **51**: 172-81.
- Towns**, **29**: Sup. Mch., '07, 8, 9, 12, 43, 44, 56, 69, 77, 79-82, 85.
- TOWNS, THE BEGINNINGS OF CONNECTICUT**, **1**: 165-91.
- TOWNSEND, EDWARD W.** A Practical Diplomacy, **54**: 295-302.
- Townships**, **29**: Sup. Mch., '07, 56; **41**: 196-8. *See* Illinois, Indiana, New York.
- Toynbee, A.**, **4**: Sup. Mch., '94, 129.
- Toynbee Society of Philadelphia**, **6**: 187.
- TRACY, S. M.** New Farm Crops for the South, **35**: 52-9.
- Trade**: **4**: Sup. S., '93, 7; **5**: 209; **15**: Sup. M., '00, 133; **22**: 115-26; **35**: 593-4, 596, 606, 610; **39**: 137, 168; **45**: 37; **48**: 22; **50**: 16, 81; **55**: 78-9; **59**: 223, 225, 236, 239, 323, 331-2; **60**: 17, 19, 22, 97, 109-10; **63**: 1-3, 13, 32-3, 47-8, 77-8, 85, 114, 137; coastal, **55**: 94-7; domestic, **55**: 94; foreign, **4**: Sup. S., '93, 9; **29**: 470, 477; free, **42**: 109, 120, 152, 168, 192, 196; Germany, **29**: 453; grain, **18**: 488-90; Great Britain's, **23**: 86-92; **59**: 237; India, **60**: 23-4; intercoastal, **55**: 102-3; Latin America, **37**: 628-37; Mexico, **55**: 90, 91, 93; Philippines, **24**: 427; South America, **29**: 471; tariff, **59**: 238; wholesale, **50**: 249. *See* Commerce, Exports, Foreign trade, Reciprocity.
- TRADE. AMERICAN MANUFACTURE AND FOREIGN MARKETS**, **29**: 515-21.
- TRADE, AMERICAN, WESTERN SOUTH AMERICA AND ITS RELATION TO**, **18**: 446-68.
- TRADE, BAROMETRIC INDICES OF THE CONDITION OF**, **35**: 593-616.
- TRADE, BRANCH BANKS AND OUR FOREIGN**, **59**: 301-8.
- TRADE, CENTRAL AND SOUTH AMERICAN, AS AFFECTED BY THE EUROPEAN WAR**, **60**: 60-8.
- TRADE RELATIONS WITH CENTRAL AND SOUTH AMERICA AS AFFECTED BY THE WAR**, **60**: 69-71.
- TRADE, EXISTING OBSTACLES TO THE EXTENSION OF OUR, WITH CENTRAL AND SOUTH AMERICA**, **60**: 98-103.
- TRADE, OUR, WITH CUBA AND THE PHILIPPINES**, **19**: 370-6.
- TRADE, SOME AGENCIES FOR THE EXTENSION OF OUR DOMESTIC AND FOREIGN**, **24**: 1-12.
- TRADE, EUROPEAN, RELATIONS WITH SOUTH AMERICA**, **22**: 159-68.
- TRADE EXPANSION, INDIVIDUAL EFFORT IN**, **37**: 579-84.
- TRADE. WHAT AMERICANS MUST DO TO MAKE AN EXPORT BUSINESS**, **29**: 470-77.
- TRADE, COÖPERATION IN EXPORT**, **60**: 39-51.
- TRADE, WASTE IN EXTERNAL, IN GENERAL, AND WITH THE ORIENT IN PARTICULAR**, **32**: 348-62.
- TRADE, THE ATTITUDE OF BUSINESS TOWARDS FOREIGN**, **59**: 291-300.

- TRADE OF THE UNITED KINGDOM, MAIN FEATURES OF THE PRESENT FOREIGN, **23**: 84-104.
- TRADE, FOREIGN, OF THE UNITED STATES, DEVELOPMENT OF THE, **29**: 441-9.
- TRADE, FINANCING OUR FOREIGN, **36**: 492-501.
- TRADE OF THE UNITED STATES, TARIFF PROVISIONS FOR PROMOTION OF FOREIGN, **29**: 498-514.
- TRADE, OUR TARIFF IN ITS RELATION TO THE GRAIN, **29**: 528-36.
- TRADE POSSIBILITIES IN GERMANY AND AUSTRIA, **60**: 35-8.
- TRADE, OUR, WITH HAWAII AND PORTO RICO, **19**: 377-82.
- TRADE INSTRUCTION, RELATION OF LABOR ORGANIZATION TO, **5**: 209-41.
- TRADE, PRESENT CONDITION OF INTERNATIONAL, **34**: 445-56.
- TRADE, CURRENT MISCONCEPTIONS OF, WITH LATIN-AMERICA, **37**: 628-37.
- TRADE CONDITIONS IN LATIN AMERICA AS AFFECTED BY THE EUROPEAN WAR, **60**: 72-97.
- TRADE LIFE IN THE GLASS BOTTLE INDUSTRY, LENGTH OF THE, **27**: 496-9.
- TRADE LIFE AMONG MACHINISTS. THE MANHOOD TRIBUTE TO THE MODERN MACHINE: INFLUENCES DETERMINING THE LENGTH OF THE, **27**: 491-5.
- TRADE LIFE, A PLEA FOR THE INVESTIGATION OF THE CONDITIONS AFFECTING THE LENGTH OF, **27**: 500-6.
- TRADE, RECIPROCITY AND ITS RELATION TO FOREIGN, **29**: 466-9.
- TRADE RELATIONS, RECIPROCITY IN OUR FOREIGN, **32**: 310-14.
- TRADE, CAUSES OF OUR FAILURE TO DEVELOP SOUTH AMERICAN, **22**: 153-6.
- TRADE, THE UNITED STATES OPPORTUNITY TO INCREASE ITS FOREIGN TRADE WITH SOUTH AMERICA, **59**: 316-20.
- TRADE, WESTERN SOUTH AMERICA AND ITS RELATION TO AMERICAN, **18**: 446-68.
- TRADE, THE TARIFF AND THE EXPORT, OF THE UNITED STATES, **23**: 1-11.
- TRADE TEACHING IN THE BOOT AND SHOE INDUSTRY, **33**: 155-62.
- TRADE TEACHING, ELEMENTARY, **33**: 33-41.
- TRADE TEACHING UNDER THE AUSPICES OF THE TYPOGRAPHICAL UNION, **33**: 178-84.
- TRADE TEACHING, VOCATIONAL TRAINING AND, IN THE PUBLIC SCHOOLS, **33**: 23-32.
- TRADE UNIONISM, AMERICAN, BRITISH AND, **26**: 721-39.
- TRADE IN WOOLENS, REVIVAL OF THE, **34**: 477-84.
- Trade agreements, **36**: 341; **44**: 5, 13-15; **55**: 82, 85-6, 101, 155-63.
- TRADE AGREEMENTS, **36**: 321-32.
- TRADE AGREEMENT IN THE BUILDING TRADES, THE, **27**: 510-16.
- TRADE AGREEMENT IN THE COAL INDUSTRY, **36**: 340-8.
- TRADE AGREEMENTS. THE "MUTUAL GOVERNMENT" OR "JOINT COMMISSION" PLAN OF PREVENTING INDUSTRIAL CONFLICTS, **27**: 531-41.
- Trade disputes, *see* Arbitration, Labor unions, Lockouts, Strikes, Trade unions.
- TRADE DISPUTES, USE AND ABUSE OF INJUNCTION IN, **36**: 87-8, 89-103, 104-18, 119-26, 127-36, 137-41.
- Trade marks, **39**: 163; **63**: 56-7, 62-3.
- schools, *see* Education, Schools.
- unions, **5**: 209-41; **8**: 420; **18**: 388-90; **27**: 521-30, 554; **29**: 466-9; **33**: 178-84; **36**: 340, 445; **42**: 75, 122, 123, 125-33, 144, 210; **44**: 30, 32, 41, 141, 143-4; **46**: 10, 16; **63**: 61-4. *See* Lockouts, Strikes, Unions.
- TRADE-UNION ATTITUDE TOWARDS PRISON LABOR, THE, **46**: 132-7.
- TRADE UNIONISM, BRITISH AND AMERICAN, **26**: 721-39.
- TRADE-UNIONISM, POLITICAL ACTION AND, **24**: 316-30.
- TRADES UNIONISM, **22**: 427-32.
- TRADE UNIONIST, INDUSTRIAL PEACE FROM THE STANDPOINT OF A, **44**: 141-4.
- TRADES UNIONS IN NEW YORK, THE NEGRO IN THE, **27**: 551-8.
- Trading stamps, **50**: 75, 130.
- Traffic, **9**: 109; **10**: 243; **19**: 17; **31**: 87, 178; **41**: 116; **55**: 103, 207.
- TRAFFIC, POSSIBILITIES OF FREIGHT, ON INTERURBAN LINES, **37**: 68-77.
- TRAFFIC PROSPECTS, MISSISSIPPI IMPROVEMENTS AND, **31**: 146-63.
- TRAFFIC POSSIBILITIES OF PROPOSED SUBWAY LINES, THE INVESTIGATION OF, **37**: 59-67.
- TRAFFIC, TRANSPORTATION FACILITIES AND STREET RAILWAY, IN LONDON, **27**: 66-71.
- TRAFFIC AGREEMENTS BETWEEN STEAMSHIP LINES AND AMERICAN RAILROADS, **55**: 185-93.
- TRAFFIC PROBLEMS, RAILWAY AND, **29**: Mch. '07.
- TRAFFIC ROUTE, THE IMPROVEMENT OF THE MISSOURI RIVER AND ITS USEFULNESS AS A, **31**: 178-88.
- TRAIN, ARTHUR C. The Jury System—Defects and Proposed Remedies, **36**: 175-84.
- Traité de la Science des Finances*, **4**: Sup. Mch., '94, 130.
- Traité des impôts*, **4**: Sup. Mch., '94, 130.
- Tramps, **5**: 19, 24; **7**: 171; **10**: 136. *See* Vagrancy.
- TRAMP PROBLEM, THE, **40**: 217-27.
- TRAMP PROBLEM. THE SHIFTLSS AND FLOATING CITY POPULATION, **10**: 149-64.
- TRAMP QUESTION IN HARTFORD, **7**: 171.
- Transit, **50**: 7, 8, 12, 66; **51**: 73, 154-6, 159; **57**: 28-32.
- TRANSIT, RELATION BETWEEN, AND HOUSING, **51**: 154-61.
- TRANSIT CONTROL IN NEW YORK CITY, DEVELOPMENT OF, **31**: 552-75.
- Transportation: **4**: Sup. S., '93, 5-9, 53-4, 147-56; **8**: 316; **11**: 325; **12**: 383; **19**: 300-3; **22**: 172; **23**: 171-2; **27**: 66; **28**: 117; **29**: 260; **32**: 97-101, 361; **34**: 563-8; **35**: 443; **37**: 3-13, 176; **40**: 52-3; **42**: 26, 29, 64, 74-5, 109-10, 133, 152-3, 156, 170, 196, 208, 235, 290, 294; **48**: 199-200; **50**: 11, 19, 26, 38; **51**: 151, 163-4, 166, 169, 189-90; **55**: 17-47, 130-2, 144, 147, 149, 152, 232-6; **59**: 245, 277, 279; **63**: 45-6, 214; Canada, **45**: 42; Chicago, **31**: 619-

- 20; foodstuffs, 50: 26; freight, 50: 16; government ownership, 57: 59, 108, 206; Latin America, 61: 81-5; ocean, 55: 232; Prussia, 10: 389-423; 11: 324; 29: 310-41; rural, 40: 169; water, 55: 17-47, 205-31. See Canals, Common carriers, Water.
- TRANSPORTATION, COMMERCE AND, 19: J, '02.
- TRANSPORTATION, ELECTRIC RAILWAY, 37: J, '11.
- TRANSPORTATION. RAILROAD COMMISSION OF CALIFORNIA, 6: 469-77.
- TRANSPORTATION. RAILWAY DEPARTMENTS FOR THE RELIEF AND INSURANCE OF EMPLOYEES, 6: 424-68.
- TRANSPORTATION. RAILWAY DISCRIMINATIONS AND INDUSTRIAL COMBINATIONS, 15: 41-50.
- TRANSPORTATION ON THE GREAT LAKES, 31: 126-38.
- TRANSPORTATION, INLAND WATERWAYS, THEIR RELATION TO, 4: Sup. S., '93.
- TRANSPORTATION COMPANIES, TENDENCIES IN THE TAXATION OF, IN THE UNITED STATES, 15: 355-80.
- TRANSPORTATION FACILITIES NEEDED FOR LATIN AMERICAN TRADE, 61: 81-5.
- TRANSPORTATION FACILITIES AND STREET RAILWAY TRAFFIC IN LONDON, 27: 66-71.
- TRANSPORTATION AND MARKETING OF PRODUCE, WHAT FARMERS CAN DO TO FACILITATE THE, 50: 37-43.
- TRANSPORTATION PROBLEM, RELATION OF THE CONTRACTOR OR SPECULATOR TO THE WORLD'S OCEAN, 55: 232-6.
- TRANSPORTATION PROBLEM, RECENT PHASES OF CHICAGO'S, 31: 619-29.
- TRANSPORTATION PROBLEM, THE URBAN: A GENERAL DISCUSSION, 37: 3-13.
- TRANSPORTATION. THE ADMINISTRATION OF PRUSSIAN RAILWAYS, 10: 389-423.
- "TRANSPORTATION," COST OF, EXHIBITS, DO, IN RAILROAD RATE CASES, SHOW COST? 63: 214-21.
- TRANSPORTATION. CAUSES AFFECTING RAILWAY RATES AND FARES, 11: 324-52.
- TRANSPORTATION TOPICS, CURRENT, 9: 107-16; 10: 241-51.
- TRANSPORTATION. ECONOMIC EFFECTS OF SHIP CANALS, 11: 54-78.
- TRANSPORTATION, RATE MAKING IN DOMESTIC WATER, 55: 205-31.
- TRANSPORTATION, SOCIAL EFFECTS OF, 20: 1-15.
- TRANSPORTATION, PUBLIC REGULATION OF STREET RAILWAY, 29: 275-91.
- TRANSPORTATION. THE REGULATION AND NATIONALIZATION OF THE SWISS RAILWAYS, 13: 143-72, 291-322.
- TRANSPORTATION QUESTIONS, DECISIONS OF THE SUPREME COURT ON, 10: 241-50.
- Transvaal, 15: 1-40.
- TRAUTWINE, JOHN C., JR. The Cost of the Isthmian Ship Canal, 42: 331-3.
- Treason, see Criminal law, Law.
- Treasury, 3: 180-210, 807; 16: 36; 20: 571; 63: 93-4.
- TREASURY, INDEPENDENT, AND THE BANKS, 36: 574-91.
- TREASURY, THE INDEPENDENT VS. BANK DEPOSITORIES: A STUDY IN STATE FINANCE, 20: 571-601.
- TREASURY, INTRODUCTORY NOTE BY THE SECRETARY OF THE, 31: 301-2.
- TREASURY, IS THE UNITED STATES, RESPONSIBLE FOR THE PRESENT MONETARY DISTURBANCE? 20: 493-517.
- TREAT, CHARLES H. The Readjustment of Our Banking System and the Unification of the Currency, 31: 335-44.
- Treaties, 2: 484, 882; 3: 155; 22: 115-26, 134, 136; 23: 55-83; 34: 313-28; 45: 56, 60, 63, 86-9; 54: 299; 60: 204; 61: 222.
- TREATIES AND CONCESSIONS, ISTHMIAN CANAL QUESTION AS AFFECTED BY, 19: 24-45.
- TREATIES. RECIPROCITY AND THE AMERICAN TARIFF SYSTEM, 23: 55-83.
- TREATY, THE TERMS AND TENOR OF THE CLAYTON-BULWER, 14: 285-309.
- TREATY POWER, THE: PROTECTION OF TREATY RIGHTS BY FEDERAL GOVERNMENT, 34: 313-28.
- TREATY RELATION OF THE UNITED STATES AND COLOMBIA, 22: 115-26.
- TRELEVEN, J. E. The Milwaukee Bureau of Economy and Efficiency, 41: 270-8.
- TREMAIN, HENRY EDWIN. Franchises or Monopolies—Their Public Ownership and Operation, 14: 310-26.
- TRENOR, JOHN J. D. Proposals Affecting Immigration, 24: 221-36.
- Trenton, 19: 304-5; 41: 218, 229.
- TRIBES, THE SEMI-CIVILIZED, OF THE PHILIPPINE ISLANDS, 18: 43-66.
- TRINKLE, WILLIAM N. The Public Service Company Law of Pennsylvania, 53: 36-44.
- Trolley freight, 37: 68; 48: 20, 219, 221, 222, 321; 50: 135.
- Tropics, 13: Sup. M., '99, 20-1; 16: 235, 240; 61: 259.
- Tropical diseases, 61: 259. See Diseases.
- TROPICAL DISEASES AND HEALTH IN THE UNITED STATES, 37: 394-411.
- Trucking, 14: 102; 48: 151.
- TRUE, A. C. Agricultural Education and Agricultural Prosperity, 59: 51-64; The United States Department of Agriculture, 40: 100-9.
- TRUMBULL, MILLIE R. Oregon Child Labor Commission, 38: Sup. Jy., '11, 178-80.
- Trust companies, 30: 230-2; 31: 463-69; 63: 84, 88.
- TRUST COMPANIES, GOVERNMENT CONTROL OF BANKS AND, 24: 15-26.
- TRUST COMPANIES, CONTROL AND SUPERVISION OF, 24: 27-42.
- TRUST COMPANIES, THE RELATION OF, TO INDUSTRIAL COMBINATIONS, AS ILLUSTRATED BY THE UNITED STATES SHIP-BUILDING COMPANY, 24: 239-70.
- TRUST COMPANIES AND RESERVES, 31: 463-9.
- TRUST COMPANIES, THE GROWTH OF STATE BANKS AND, 36: 613-25.
- TRUST CONFERENCE, THE CHICAGO, 15: 69-80.

- Trusts: **2**: 186, 445, 779; **5**: 573-7; **8**: 138; **15**: 43; **16**: 345-403; **18**: 575; **24**: 87-122; **26**: 656-64; **31**: 463; **32**: 235; **42**: 63, 65-8, 75, 81, 83-4, 93, 112, 142, 153, 161, 167, 192, 194-5, 210, 212, 222-4, 229, 238-9, 246, 263, 267, 291, 300, 305, 310, 315; **48**: 169; **59**: 216; **63**: 69-83; Canada, **45**: 8; Chicago, **15**: 69; combinations, **24**: 239; federal power, **24**: 87; foreign trade, **16**: 362; Germany, **42**: 172-82; prices, **20**: 602-15; **26**: 604; railways, **8**: 138; rubber, **42**: 81; tobacco, **42**: 81, 301; woollens, **42**: 81. See Combination, Monopolies.
- TRUSTS AND PRICES, **20**: 602-15.
- TRUSTS, THE SCOPE AND LIMITS OF CONGRESSIONAL LEGISLATION AGAINST THE, **24**: 111-22.
- TRUSTS, ATTITUDE OF GERMAN PEOPLE AND GOVERNMENT TOWARDS, **42**: 172-82.
- TRUSTS, FEDERAL POWER, THE, OVER, **24**: 87-110.
- TRUST LAW, EFFECT OF THE ANTI-, ON GENERAL BUSINESS, **42**: 246-50.
- TRUST LAW, ANTI-, AMENDMENT OF SHERMAN, **32**: 34-42.
- TRUST LAW, THE SHERMAN ANTI-, AND THE BUSINESS OF THE COUNTRY, **42**: 219-37.
- TRUST LAW, ANTI-, THE DRUG TRADE AND THE, **32**: 69-74.
- TRUST LEGISLATION, ANTI-, ECONOMIC AND UNECONOMIC, **5**: 569-73.
- TRUST LEGISLATION, ANTI-, EFFECTS OF, ON BUSINESS, **32**: 45-9.
- TRUST LEGISLATION, ANTI-, NECESSITY AND PURPOSE OF, **32**: 63-8.
- TRUST LEGISLATION, LIMITATIONS OF ANTI-, **42**: 296-302.
- TRUST LEGISLATION, NECESSITY AND PURPOSE OF ANTI-, **32**: 63-8.
- TRUST LEGISLATION, REVIEW AND CRITICISM OF ANTI-, **42**: 289-95.
- TRUST PROBLEM, FINANCIAL ASPECTS OF THE, **16**: 345-403.
- TRUST REGULATION, CONSTITUTIONAL DIFFICULTIES OF, **26**: 656-64.
- TRYON, JAMES L. The United States and Canada in Their Hundred Years of Peace, **45**: 56-68.
- TSAO, MISS LI YIENI. The Life of a Girl in China, **39**: 62-70.
- Tuberculosis, **17**: 377-80, 556-7; **18**: 378-9; **19**: 509-10; **20**: 459-61; **21**: 407-11; 413-18, 490-1; **23**: 274-7; **27**: 468; **37**: 268, 331-2, 340, 355-7; **41**: 230; **49**: 53, 139; **51**: 44. See Disease.
- TUBERCULOSIS, SOCIAL ASPECTS OF, **21**: 407-18.
- Tungsten lamp, **57**: 39-41.
- Turkey, **61**: 32, 36.
- Turpentine, **41**: Sup. M., '12, 76.
- Tuskegee Conference, **49**: 133.
- TUSKEGEE CONFERENCE OF 1896, **7**: 517.
- Tuskegee Institute, **21**: 513-14; **49**: 176, 215, 221, 228.
- TUTTLE, CHARLES A. The Wealth Concept, **1**: 615-34.
- TWINING, WILLIAM S. The Investigation of Traffic Possibilities of Proposed Subway Lines, **37**: 59-67.
- TYNAN, THOMAS W. J. Prison Labor on Public Roads, **46**: 58-60.
- Typhoid fever, **37**: 415-16; **61**: 257, 260. See Disease.
- TYPOGRAPHICAL UNION, TRADE TEACHING UNDER THE AUSPICES OF THE, **33**: 178-84.
- UNDERWOOD TARIFF ACT, THE, AS A PRODUCER OF REVENUE, **58**: 12-14.
- UNDERWRITING, **25**: 61-6.
- Unearned increment, **42**: 105; **44**: Sup. N., '12, 34, 38, 45; **53**: 202-4, 207, 232; **59**: 32; **62**: 132. See Land.
- UNEARNED INCREMENT TAX, ANNUAL REASSESSMENT VERSUS THE, **58**: 202-13.
- Unemployed, **5**: 190, 823, 1004. See Unemployment.
- UNEMPLOYED, FUTURE PROBLEM OF CHARITY AND THE, **5**: 1-27.
- UNEMPLOYED IN NEW YORK CITY, **5**: 823-4.
- UNEMPLOYED. RELIEF WORK AT WELLS MEMORIAL INSTITUTE, **5**: 377-97.
- Unemployment: **3**: 666; **5**: 1-27; **6**: 190, 347; **27**: 342; **34**: 91; **35**: Sup. Mch., '10, 75; **37**: Sup. M., '11, 34; **59**: 125-6, 148-63, 165, 187-8, 194-9, 203, 210; **61**: 6, 11-16, 18-22, 24-9, 40-3, 45-7, 88-174; Belgium, **48**: 7; Chile, **60**: 85; European war, **61**: 6; Germany, **61**: 46-7, 138-9; income, **61**: 99; insurance, **8**: 596; **9**: 160, 166; **48**: 7-8; **59**: 190, 210; **61**: 18; inventions, **61**: 154-5; Labor Statistics, Bureau of, **63**: 267-8; London, **26**: 779; New York City, **61**: 25-6; Pennsylvania, **61**: 45-6; scientific management, **51**: 146-64; single tax, **59**: 148-56; Switzerland, **9**: 166; wages, **51**: 94; work, **61**: 154. See Seasonal occupations.
- UNEMPLOYMENT. SEASONAL OCCUPATION IN THE BUILDING TRADES—CAUSES AND EFFECTS, **33**: 353-61.
- UNEMPLOYMENT, CASUAL AND CHRONIC, **59**: 194-9.
- UNEMPLOYMENT AND IMMIGRATION, **61**: 40-4.
- UNEMPLOYMENT PROBLEM, AMERICA'S, **61**: 11-23.
- UNEMPLOYMENT PROBLEM, SCIENTIFIC MANAGEMENT AS A SOLUTION OF THE, **61**: 146-64.
- UNEMPLOYMENT, THE PROBLEM OF, IN THE UNITED KINGDOM, **33**: 420-39.
- UNEMPLOYMENT, SOCIALISM AS A CURE FOR, **59**: 157-64.
- UNEMPLOYMENT, SOME RECENT SURVEYS OF, **61**: 24-9.
- UNEMPLOYMENT, TAXATION OF LAND AS A REMEDY FOR, **59**: 148-56.
- UNEMPLOYMENT, THE EFFECT OF, ON THE WAGE SCALE, **61**: 90-102.
- Uniform legislation, **13**: 228; **15**: 163. See Legislation.
- UNIFORM LEGISLATION IN THE UNITED STATES, **52**: 67-76.
- UNIFORM STATE LEGISLATION, **5**: 829-63.
- UNIFORMITY, WHAT SHOULD WE SACRIFICE TO, **38**: Sup. Jy., '11, 24-30.
- UNION PACIFIC RAILWAY, **8**: 259-303.
- Union Steel Company, **42**: 87.
- Typewriter Company, **42**: 96.
- UNIONS, THE SERVICES OF LABOR, IN THE SETTLEMENT OF INDUSTRIAL DISPUTES, **27**: 521-30.
- UNIONS, THE POSITION OF LABOR, REGARDING INDUSTRIAL EDUCATION, **33**: 185-224.



- UNIONS, LABOR, AS THEY APPEAR TO AN EMPLOYER, **21**: 46-54.
- UNION LABOR BUREAU, COOPER, **7**: 169-70.
- UNION, THE MINERS': ITS BUSINESS MANAGEMENT, **25**: 67-86.
- UNIONS IN NEW YORK, THE NEGRO IN THE TRADES, **27**: 551-8.
- UNION, THE TRADE, TOWARDS PRISON LABOR, **46**: 132-7.
- UNIONS, THE WAGE SCALE AGREEMENTS OF THE MARITIME, **36**: 349-65.
- Unionism, **21**: 20-35; **36**: 349; **42**: 16, 46-7, 50, 52, 58; **44**: 40-1; **48**: 35, 73, 179, 235. See Labor unions, Trade unions.
- UNIONISM, BRITISH AND AMERICAN TRADE, **26**: 721-39.
- UNIONISM, THE EFFECT OF, UPON THE MINE WORKER, **21**: 20-35.
- UNIONISM, TRADES, **22**: 427-32.
- UNIONISM, POLITICAL ACTION AND TRADE, **24**: 316-30.
- UNIONISM, THE NEW—THE PROBLEM OF THE UNSKILLED WORKER, **24**: 296-315.
- UNIONIST, INDUSTRIAL PEACE FROM THE STANDPOINT OF A TRADE, **44**: 141-4.
- United Association of the Provincial Assemblies, **39**: 30.
- Fruit Co., **55**: 71, 73.
- Kingdom, **55**: 145. See England, Great Britain.
- UNITED KINGDOM, MAIN FEATURES OF THE PRESENT FOREIGN TRADE OF THE, **23**: 84-104.
- UNITED KINGDOM, PROBLEM OF UNEMPLOYMENT IN THE, **33**: 420-39.
- United Mail Co., **55**: 70, 71.
- Mine Workers of America, **25**: 67-86; organization, **44**: 14.
- Shoe Machinery Company, **42**: 154, 158, 199, 323; **48**: 169.
- States: **1**: 5, 6, 132; **3**: 1-13, 785-809; **4**: Sup. S., '93, 122-32; **5**: 260; **7**: 381; **9**: 1-41, 178; **12**: 173-92, 358-86; **13**: 1, 422; **14**: 330; **19**: 383-91; **22**: 1-19; **33**: 535-65; **34**: 539-46; **36**: 193-206; **36**: Sup. Jy., '10, 33; **39**: 33, 60; **43**: 24, 32, 246, 248-9, 260, 287, 290, 293-7; **44**: 5, 15; **45**: 3, 29, 34, 38, 56; **48**: 117; **54**: 17, 22, 59, 124-9, 178, 199, 223-4, 243-51, 254, 268, 270, 279, 281; **57**: 3-4, 64, 297; **58**: 12-15, 59, 87, 157, 225; **59**: 1-2, 6-15, 69, 209, 296, 313-14, 318-19, 328; **60**: 2-3, 10, 16, 18, 40-1, 58-9, 62, 75-6, 81, 107-8, 120, 133, 136-43, 145, 158-61, 166, 168, 177, 192-3, 195-6, 215, 222, 231; **61**: 2, 6-9, 11, 28-9, 31-2, 40, 61, 66-9, 140, 145, 231-3, 237, 239-41, 244, 251, 257-8, 263, 268; **62**: 10, 21-2; **63**: 88-90, 144, 245, 283; army, **61**: 258-61; banking, **4**: 104; **5**: 531-56; banks, **63**: 88; Central America, **60**: 69; **61**: 66-70; charities, **12**: 164; China, **36**: Sup. Jy., '10, 29-31; citizenship, **7**: 409; combinations, **42**: 183-201; Cuba, **11**: 353-80; Department of Agriculture, **45**: 255-6, 259; foreign policy, **54**: 124-9, 282-94; Industrial Commission, **13**: 134; insurance, **17**: 260; **48**: 8; iron, **34**: 496-506; Japan, **36**: Sup. Jy., '10, 6-8, 21-4, 38; judiciary, **43**: 286-310; Latin America, **61**: 71-80; machinery, **9**: 179; marine insurance, **26**: 421-52; merchant marine, **60**: 3-4; Mexico, **54**: 175-82; minimum wage, **48**: 45; money, **4**: 91-149; Monroe Doctrine, **22**: 1-19; **54**: 124-9; municipal ownership, **57**: 259-62; Negroes, **49**: 55; postal savings banks, **8**: 485; railways, **11**: 325; **37**: 14; recreation, **35**: 217; resources, **59**: 1-28; revenue, **58**: 14, 59; Russia, **15**: 428; sanitation, **18**: 371; South America, **37**: 662; **38**: 621; **55**: 65-6; **59**: 295-6; **61**: 66-70, 80; street railways, **7**: 144; **29**: 288; transportation, **11**: 325; wealth, **36**: Sup. Jy., '10, 33; woman suffrage, **56**: 13.
- UNITED STATES DEPARTMENT OF AGRICULTURE, THE, **40**: 100-9.
- UNITED STATES, AGRICULTURAL LABORERS IN THE, **40**: 40-4.
- UNITED STATES, THE POSITION OF THE, ON THE AMERICAN CONTINENT, **22**: 1-20.
- UNITED STATES, ATTITUDE OF THE, TOWARD OTHER AMERICAN POWERS, **26**: 19-24.
- UNITED STATES, ARGENTINE COMMERCE WITH, AND COLOMBIA, **22**: 171-6.
- UNITED STATES, UTILIZATION OF BANK RESERVES IN THE, AND IN FOREIGN COUNTRIES, **36**: 523-37.
- UNITED STATES, THE OPERATION OF THE MUTUAL SAVINGS BANK SYSTEM IN THE, AND THE TREATMENT OF SAVINGS DEPOSITS, **36**: 640-53.
- UNITED STATES. BRYCE'S AMERICAN COMMONWEALTH, **7**: 377-410.
- UNITED STATES, EVOLUTION OF THE BUDGET IDEA IN THE, **62**: 15-35.
- UNITED STATES, CANADA AND THE, **1**: 1-25.
- UNITED STATES AND CANADA, THE, IN THEIR HUNDRED YEARS OF PEACE, **45**: 56-68.
- UNITED STATES, CANADIANS IN THE, **45**: 83-98.
- UNITED STATES, CANADA AND THE PREFERENCE; CANADIAN TRADE WITH GREAT BRITAIN AND THE, **45**: 29-46.
- UNITED STATES, THE RELATIONS OF CENTRAL AND SOUTH AMERICA WITH THE, AS AFFECTED BY THE EUROPEAN WAR, **61**: 66-70.
- UNITED STATES, CHILD LABOR IN THE, AND ITS GREAT ATTENDANT EVILS, **25**: 417-29.
- UNITED STATES, THE RELATIONS OF THE, WITH CHINA AND JAPAN, **54**: 254-9.
- UNITED STATES, THE DEVELOPMENT OF A COLONIAL POLICY FOR THE, **30**: 3-15.
- UNITED STATES, POLICIES OF GERMANY, ENGLAND, CANADA AND THE, TOWARDS COMBINATIONS, **42**: 183-201.
- UNITED STATES, COMMERCIAL RELATIONS OF THE, WITH CANADA, **32**: 330-42.
- UNITED STATES, COMMERCIAL RELATIONS OF THE, WITH THE FAR EAST, **13**: Sup. M., '99, 107-60.
- UNITED STATES, COMMERCIAL RELATIONS BETWEEN THE, AND JAPAN, **36**: Sup. Jy., '10.
- UNITED STATES, COMMERCIAL RELATIONS OF THE, WITH LATIN AMERICA, **22**: 149-88.
- UNITED STATES CONSTITUTION, ORIGINAL FEATURES IN THE, **1**: 203-44.
- UNITED STATES, WHAT IS A CONSTITUTIONAL HISTORY OF THE, **19**: 259-65.
- UNITED STATES. RECOGNITION OF CUBAN BELLIGERENCY, **7**: 450-61.



- UNITED STATES AND THE FAR EAST: AN ECONOMIC AND MILITARY PROGRAM, THE, **54**: 251-3.
- UNITED STATES, TENDENCIES OF FACTORY LEGISLATION AND INSPECTION IN THE, **20**: 235-53.
- UNITED STATES, FARM TENANCY IN THE, **40**: 29-39.
- UNITED STATES, HISTORICAL STUDY OF FIRE INSURANCE IN THE, **26**: 335.
- UNITED STATES, FOREIGN POLICIES OF THE, POLITICAL AND COMMERCIAL, **13**: Sup. M., '99.
- UNITED STATES, THE FOREIGN POLICY OF THE, **54**: 277-81.
- UNITED STATES' OPPORTUNITY, THE, TO INCREASE ITS FOREIGN TRADE WITH SOUTH AMERICA, **59**: 316-20.
- UNITED STATES GOVERNMENT, STATISTICAL PUBLICATIONS OF THE, **2**: 236-48.
- UNITED STATES, SOME UNSETTLED QUESTIONS IN HOSPITAL ADMINISTRATION IN THE, **20**: 328-55.
- UNITED STATES, THE INDUSTRIAL ASCENDENCY OF THE, **15**: Sup. M., '00, 153-68.
- UNITED STATES, THE RELATIONS BETWEEN JAPAN AND THE, **54**: 260-9.
- UNITED STATES, THE IMPROVEMENT OF LABOR CONDITIONS IN THE, **27**: M., '06.
- UNITED STATES AND LATIN AMERICA, WHAT CAN THE, DO FOR EACH OTHER? **61**: 71-80.
- UNITED STATES AND LATIN-AMERICA, THE, **22**: Jy., '03.
- UNITED STATES, RESPECT FOR LAW IN THE, **36**: 193-218.
- UNITED STATES, LAW AND PRACTICE OF, IN THE ACQUISITION AND GOVERNMENT OF DEPENDENT TERRITORY, **16**: 404-20.
- UNITED STATES, UNIFORM LEGISLATION IN THE, **52**: 67-76.
- UNITED STATES, THE DEVELOPMENT AND PRESENT STATUS OF MARINE INSURANCE IN THE, **26**: 422-52.
- UNITED STATES, MARRIAGE AND DIVORCE PROVISIONS IN THE STATE CONSTITUTIONS OF THE, **26**: 745-8.
- UNITED STATES, THE MINIMUM WAGE AS A LEGISLATIVE PROPOSAL IN THE, **48**: 45-53.
- UNITED STATES, THE DUTY OF, TOWARD MEXICO, **54**: 175-82.
- UNITED STATES, THE MONROE DOCTRINE AND THE FOREIGN POLICY OF THE, IN THE WESTERN HEMISPHERE, **54**: 124-9.
- UNITED STATES, RECENT EXTENSIONS OF MUNICIPAL FUNCTIONS IN THE, **25**: 299-310.
- UNITED STATES, THE SITUATION OF THE, AT THE CLOSE OF THE WAR AS A QUESTION OF NATIONAL DEFENSE, **60**: 138-42.
- UNITED STATES, SELECT LIST OF REFERENCES ON NATIONAL, STATE, COUNTY AND MUNICIPAL BUDGETS IN THE, **62**: 277-87.
- UNITED STATES, THE POSITION OF THE, AMONG NATIONS, **26**: 1-15.
- UNITED STATES, THE EXTENT TO WHICH THE NAVY OF THE, SHOULD BE INCREASED, **26**: 137-46.
- UNITED STATES, HIGHER EDUCATION OF NEGROES IN THE, **49**: 209-18.
- UNITED STATES, NEGRO ILLITERACY IN THE, **49**: 177-85.
- UNITED STATES, NEGRO POPULATION IN THE, **49**: 1-9.
- UNITED STATES, THE NICARAGUA CANAL AND THE ECONOMIC DEVELOPMENT OF THE, **7**: 38-48.
- UNITED STATES, THE POLICY OF THE, IN THE PACIFIC, **54**: 245-50.
- UNITED STATES, THE PARKS AND RECREATION FACILITIES IN THE, **35**: 217-28.
- UNITED STATES, THE POLITICAL RELATIONS OF THE, WITH THE FAR EAST, **13**: Sup. M., '99, 163-97.
- UNITED STATES, POLITICAL RELATIONS OF THE, WITH LATIN AMERICA, **22**: 111-48.
- UNITED STATES, ATTITUDE OF THE, TOWARD OTHER POWERS, **26**: 21-4.
- UNITED STATES, RACE IMPROVEMENT IN THE, **34**: Jy., '09.
- UNITED STATES, THE RESOURCES OF THE, AND THEIR RELATION TO OPPORTUNITY, **59**: 1-28.
- UNITED STATES SHIPBUILDING COMPANY, THE RELATION OF TRUST COMPANIES TO INDUSTRIAL COMBINATIONS, AS ILLUSTRATED BY THE, **24**: 239-70.
- UNITED STATES, SHIPPING FACILITIES BETWEEN THE, AND SOUTH AMERICA, **38**: 621-37.
- UNITED STATES, USE OF SILVER AS MONEY IN THE, **4**: 91-149.
- UNITED STATES, CONDITIONS AFFECTING SUGAR-BEET CULTURE IN THE, **22**: 171-87.
- UNITED STATES, THE SYSTEM BEST ADAPTED TO THE, **38**: 175-83.
- UNITED STATES, THE TARIFF AND THE EXPORT TRADE OF THE, **23**: 1-11.
- UNITED STATES, TARIFF RELATION OF THE, AND THE PHILIPPINE ISLANDS, **23**: 12-25.
- UNITED STATES, THE EXTENT AND EVILS OF DOUBLE TAXATION IN THE, **58**: 105-11.
- UNITED STATES TREASURY, IS THE, RESPONSIBLE FOR THE PRESENT MONETARY DISTURBANCE? **20**: 493-517.
- UNITED STATES, TREATY RELATIONS OF THE, AND COLOMBIA, **22**: 115-26.
- UNITED STATES, TROPICAL DISEASES AND HEALTH IN THE, **37**: 394-411.
- UNITED STATES, WAGES IN THE, **48**: 41-4.
- UNITED STATES, WATER TERMINALS IN THE, AND THEIR CONTROL, **55**: 237-42.
- UNITED STATES, EUROPE AND THE, IN THE WEST INDIES, **26**: 33-44.
- UNITED STATES, STRATEGIC VALUE OF HER WEST INDIAN POSSESSIONS TO THE, **19**: 383-91.
- UNITED STATES AS A WORLD POWER, THE, **26**: Jy., '05.
- UNITED STATES, WOMEN AND SOCIAL LEGISLATION IN THE, **56**: 62-70.
- UNITED STATES, THE SYSTEM OF WORKMEN'S COMPENSATION BEST ADAPTED TO THE, **38**: 175-83.
- United States Brewers Association, **42**: 19.
- — — Steel Corporation, **17**: 562; **34**: 497; **38**: 35-44; **42**: 3, 4, 29-30, 38-47, 52, 81, 86, 93, 158, 172-3, 175, 181, 243; **48**: 167-8, 170, 177, 179, 181, 190.
- UNITED STATES STEEL CORPORATION AND LABOR, THE, **42**: 10-19.
- UNITED STATES STEEL CORPORATION AND LABOR CONDITIONS, THE, **42**: 38-47.

- UNITED STATES STEEL CORPORATION, RESULTS OF VOLUNTARY RELIEF PLAN OF, **38**: 35-44.
- Universal Association of Institutions for Mutual Help, Jubilee Congress of, **17**: 167.
- Universities: **1**: 132; **2**: 488-517; **10**: 379; **13**: 335; Cincinnati, **44**: 77; France, **4**: 22; Geridan, **1**: 78-102, 272-88; Italian, **1**: 635; settlements, **11**: 292; Wilberforce, **49**: 209.
- UNIVERSITY EXTENSION SUMMER MEETING, **5**: 624-5.
- UNIVERSITIES, THE STUDY OF INSURANCE IN AMERICAN, **28**: 82-100.
- UNIVERSITY IN THE SOUTH, THE, **22**: 261-5.
- UNREST, SOME THOUGHTS ON INDUSTRIAL, **59**: 209-11.
- UNTERMYER, SAMUEL. Evils and Remedies in the Administration of the Criminal Law, **36**: 145-60.
- UNWIN, RAYMOND. The Relation of Land Values and Town Planning, **51**: 17-24.
- UPDYKE, FRANK A. County Government in New England, **47**: 26-38.
- UPSON, LENT D. Budget Making for Small Cities, **62**: 235-48; The City-Manager Charter of Dayton.<sup>1</sup>
- URDAHL, T. K. Relation of the Colonial Fee System to Political Liberty, **12**: 58-68.
- U'REN, W. S. Single Tax, **58**: 222-7; State and County Government in Oregon and Proposed Changes, **47**: 271-3.
- URNER, FRANK G. Wholesale City Distribution of Farm Products, **50**: 69-73.
- Uruguay, **54**: 10, 63; **60**: 91; **61**: 52.
- Utah: **16**: 244; **19**: 145-7; **29**: Sup. Mch., '07, 15, 34, 51, 64, 74; commission government, **38**: 745; convict labor, **46**: 58; direct legislation, **43**: 90; initiative, **43**: 84, 160; labor, **14**: 114; **44**: 105; referendum, **43**: 84, 160; woman suffrage, **13**: 215; **19**: 145-7; **35**: Sup. M., '10, 19; **56**: 93, 132.
- Utilitarianism, **1**: 575.
- Utilities: **10**: 334-58; **53**: 15-16, 18, 254; **57**: 8, 13, 15-16, 21-2, 54-5, 58, 64-6, 83, 104-7, 111, 127, 132-3, 153-4, 163, 182, 191, 214, 217, 293, 317; capitalization, **53**: 178; control, **53**: 85; earnings, **53**: 178; operation, **57**: 8; ownership, **53**: 93; **58**: 143; Pasadena, **57**: 214; powers, **63**: 250; public, **42**: 149, 193, 208, 234; rates, **53**: 109-10, 112; regulation, **37**: 170-90; **53**: 101; **57**: 118-22; service, **53**: 239; **57**: 132; Wisconsin, **54**: 303-20. See Public utilities.
- UTILITIES, THE FEDERAL VALUATION OF, **63**: 173-81.
- UTILITIES, THE REGULATION OF MUNICIPAL, **57**: 20-7.
- UTILITIES, THE REGULATION OF PUBLIC, **57**: 54-61.
- UTILITIES, THE TRUTH ABOUT STATE REGULATION OF, IN WISCONSIN, **54**: 303-20.
- UTILITIES, TAXATION OF PUBLIC, **58**: 140-8.
- Utilities Bureau, **57**: 44-6, 49, 187, 255.
- UTILITIES BUREAU, THE, **57**: 293-4.
- UTILITIES BUREAU. REPORT OF THE COMMITTEE ON RECOMMENDATIONS, **57**: 295-6.
- Utility, **1**: 363; **2**: 600-28; **3**: 35-6, 135, 716; **4**: 369, 430; **5**: 257; **9**: 70-106; **12**: 331; **13**: 63; **44**: Sup. N., '12, 6; **53**: 1. See Value.
- UTILITY, BEGINNING OF, **5**: 257-60.
- UTILITY, COST AND, **3**: 409-28.
- UTILITY, AND COST AS DETERMINANTS OF VALUE, **10**: 334-58.
- UTILITY, TOTAL STANDARD OF DEFERRED PAYMENTS, **4**: 425-41.
- UTILITY. THE FORMULATION OF NORMAL LAWS, **7**: 426-49.
- UTILITY, ECONOMICS AND SOCIOLOGY, **5**: 398-404.
- UTILITY PROGRAM, FUNDAMENTAL PLANKS IN A, **57**: 8-19.
- Utility commissions, Vol. **53**. See Commissions, Public service commissions, Railroad commissions.
- Utopia, **4**: Sup. Mch., '94, 68; **44**: Sup. N., '12, 29, 37.
- Vacant lots, **7**: 367; **8**: 427; **9**: 481; **11**: 440; **13**: 419; **17**: 555-6; **35**: 427. See Schools.
- VACATION COURSES IN POLITICS AND ECONOMICS, **6**: 546-50.
- VACATION COURSES IN POLITICS AND ECONOMICS AT BERLIN, **6**: 281-2.
- VACATION COURSES OF THE VEREIN FÜR SOZIAL POLITIK, **7**: 69-73.
- Vagabondage, **12**: 450.
- Vagrancy, **10**: 136, 153; **19**: 510-13; **25**: 408; **40**: 217-27; **41**: 182; **47**: 170. See Tramps.
- VAGRANCY, CAUSES OF, AND METHODS OF ERADICATION, **23**: 445-56.
- VAGRANCY. THE TRAMP PROBLEM, **40**: 217-27.
- Valuation: **10**: 334-58; **14**: 321; **51**: 249; **53**: 13, 14, 44-7, 80, 97, 103, 109, 111, 172, 177, 184-204; **57**: 156; **58**: 101, 163-6; **63**: 112, 175, 176, 179-80, 183, 185-7; California, **53**: 226; **58**: 115; capitalization, **15**: Sup. M., '00, 26; **53**: 14; electric companies, **35**: 658; **53**: 111; franchises, **14**: 321; **29**: 352-6; Illinois, **58**: 115; Indiana, **58**: 115; Kansas, **58**: 115; land, **41**: Sup. M., '12, 53; **63**: 178-9; Nevada, **58**: 115; New Hampshire, **58**: 115; New Jersey, **53**: 226-7; **58**: 115; North Dakota, **58**: 115; Ohio, **53**: 14; **58**: 115; Oregon, **58**: 115; Pennsylvania, **53**: 14; **58**: 158-9; Pittsburgh, **58**: 169; Portland, **58**: 154; railroads, **53**: 166; **57**: 107; **58**: 61; rates, **53**: 219; Rhode Island, **58**: 115; South Dakota, **58**: 115; street railways, **37**: 119; **53**: 163; telephones, **53**: 111; Vermont, **58**: 115; Washington, **53**: 14; **58**: 115; water, **53**: 111; Wisconsin, **53**: 14, 103; **58**: 115; Wyoming, **58**: 115. See Franchises.
- VALUATION, CERTAIN PRINCIPLES OF, IN RATE CASES, **53**: 182-97.
- VALUATION OF THE RAILROADS, FEDERAL, IN THE UNITED STATES, **63**: 182-90.
- VALUATION, RECENT TENDENCIES IN, FOR RATE-MAKING PURPOSES, **53**: 219-37.
- VALUATION OF INTANGIBLE STREET RAILWAY PROPERTY, **37**: 119-41.
- VALUATION OF TAXABLE SUBJECTS, THE CENTRAL CONTROL OF THE, **58**: 112-30.
- VALUATION OF UTILITIES, THE FEDERAL, **63**: 173-81.
- Value, **3**: 483-503; **4**: 348-77, 966-9; **4**: Sup. Mch., '94, 27, 86-8; **5**: 149-208; **6**: 126; **9**: 100; **11**: 227; **44**: Sup. N., '12, 53; **51**: 17, 195; **53**: 182-6, 193-5, 198, 199;

<sup>1</sup>See footnote, p. 27.

- 58: 158-67; 60: 126-7; 63: 230. *See* Going value.
- VALUES, ASSESSED VS. REAL, OF REAL ESTATE IN PENNSYLVANIA, 58: 158-67.
- VALUE, THE AUSTRIAN THEORY OF, 4: 348-77.
- VALUE, COST AND UTILITY AS DETERMINANTS OF, 10: 334-58.
- VALUES, ECONOMIC CRISES AND STOCK SECURITY, 35: 636-45.
- VALUES, THE RECENT INCREASE IN LAND, 58: 149-57.
- VALUE, MONEY AS A MEASURE OF, 4: 966-68.
- VALUES, MUNICIPAL TAXATION IN RELATION TO SPECULATIVE LAND, 58: 214-21.
- VALUE, NATURAL WIESER'S, 5: 512-30.
- VALUES, NON-PHYSICAL OR GOING CONCERN, 53: 214-18.
- VALUES, POSITIVE AND RELATIVE, 9: 70-106.
- VALUES, INFLUENCE AFFECTING SECURITY PRICES AND, 35: 627-35.
- VALUE, ULTIMATE STANDARD OF, 5: 149-208.
- VALUE, THEORIES OF, AND THE STANDARD OF DEFERRED PAYMENTS, 5: 882-96.
- VALUE, THEORY OF, 2: 600-28.
- VALUE, UTILITY AND COST AS DETERMINANTS OF, 10: 334-58.
- VAN CLEAVE, JAMES W. The Work of Employers' Associations in the Settlement of Labor Disputes, 36: 373-80; What Americans must do to make an Export Business, 29: 470-7; The Stove Trade, 34: 463-6.
- VAN DER VAART, HARRIET. Children in the Glass Works of Illinois, 29: 77-83; Illinois Child Labor Committee, 35: Sup. Mch., '10; 38: Sup. Jy., '11, 160-1; Consumer's League of Illinois, 32: Sup. Jy., '08, 124.
- VAN DEUSEN, EDGAR. Electric Interurban Railway Bonds as Investments, 30: 336-49.
- VAN HISE, CHARLES RICHARD. Preservation of the Phosphates and the Conservation of the Soil, 33: 699-710.
- VAN KLEECK, MARY. Child Labor in Home Industries, 35: Sup. Mch., '10, 145-9; The Effect of Unemployment on the Wage Scale, 61: 90-102. *See also*, 61: 146, 153.
- VAN NORMAN, H. V. Rural Conveniences, 40: 163-7.
- VAN OTNUM, JOHN L., 4: Sup. S., '93, 58.
- VAN ZANDT, A. D. B. The Presentation of Interurban Problems to the Public, 37: 110-15.
- VANCE, ARTHUR T. The Value of Publicity in Reform, 29: 87-92.
- VANCE, JOHN L. The Improvement of the Ohio River, 31: 139-45.
- VANCE, TRUMAN S. Welfare Work as a Way to Prevent Labor Disputes, 36: 381-90.
- VANDERLIP, FRANK A. The Present Financial Situation, 60: 104-5; The Panic as a World Phenomenon, 31: 302-7.
- Varnhagen, R., 4: Sup. Mch., '94, 61.
- VEBLEN, T. B. Some Neglected Points in the Theory of Socialism, 2: 345-62.
- VEDITZ, C. W. A. New Academic Degrees at Paris, 7: 286-90.
- VEILLER, LAWRENCE. Housing and Health, 37: 257-69; The Housing Problem in American Cities, 25: 248-72; Housing Reform Through Legislation, 51: 68-77.
- Venezuela, 54: 11, 103, 120; 55: 70.
- Ventilation, 37: 451-63; 51: 95-6.
- VENTILATION AND PUBLIC HEALTH, 37: 451-63.
- Verein für Sozial Politik, 7: 69-73.
- Vermont, 15: 161, 204-35; 29: Sup. Mch., '07, 8, 9, 17, 28, 43, 68, 79, 80, 82; 38: Sup. Jy., '11, 184-5; 47: 27-9; 53: 143; 58: 115, 121.
- VERPLANCK, J. DELANCEY. A Problem of Primaries, 28: 442-52.
- Verwaltungslehre, 4: Sup. Mch., '94, 113.
- Vessels, 55: 19, 21, 22, 184, 229, 235.
- Veto-power, 1: 12, 230; 4: 893; 9: 31; 14: 344; 29: Sup. Mch., '07, 3, 4, 14, 21, 31-2, 84-5.
- Vienna, 7: 158; 13: 16.
- Vierteljahrsschrift für Volkswirtschaft, 4: Sup. Mch., '94, 116.
- Villa, 54: 141, 203.
- Villages, *see* Local government.
- VILLAGE PROBLEMS AND CHARACTERISTICS, 40: 234-43.
- Villein tenure, 1: 471.
- VILLEIN TENURE, THE CHARACTER OF, 1: 412-25.
- VINCENT, ADA S. AND VINCENT, JOHN MARTIN. (Trans. by). Constitution of the Kingdom of Belgium, 7: Sup. M., '96.
- Virginia: 1: 537; 13: 217; 16: 93; 17: 253; 20: 644-5; 29: Sup. Mch., '07, 25, 27, 50, 52, 57, 58, 68, 75; 32: 513; 53: 7; charities, 21: 494-5; charters, 1: 537; Negroes, 49: 5, 29, 149; taxes, 49: 30; temperance, 32: 527; 39: 70.
- VIRGINIA, DEVELOPMENT IN THE TIDEWATER COUNTIES OF, 49: 28-31.
- Vocational schools, 32: Sup. Jy., '08, 36-7; 33: 23, 56; 35: Sup. Mch., '10, 73-90; 44: 138; 49: 89, 219; 59: 90; 61: 133; 63: 269. *See* Education, Industrial education, Schools, Trade Schools.
- VOCATIONAL DIRECTION, 35: Sup. Mch., '10, 86-90.
- VOCATIONAL TRAINING AND TRADE TEACHING IN THE PUBLIC SCHOOLS, 33: 23-32.
- Volkstaat, 4: Sup. Mch., '94, 94.
- Von Gneist, Rudolf, 7: 253-69.
- Voting: 1: 603; 2: 733; 29: Sup. Mch., '07, 3, 5, 7, 19, 20, 24, 28, 29, 34, 41, 63, 68, 71, 77; 43: 311, 317; Boston, 24: 46; compulsory, 1: 586-614; 3: 621; 6: 378; 18: 275; machines, 15: 119; 17: 255, 356-8; 28: 416; 29: Sup. Mch., '07, 28; New York State, 8: 45; Pennsylvania, 2: 751-71; 18: 547; Philadelphia, 19: 148-9; primaries, 28: 440-52; Prussian, 15: 327; registration, 29: Sup. Mch., '07, 26, 27; Switzerland, 6: 378.
- VOTING, COMPULSORY, 1: 586-614; 3: 621-5.
- VOTING IN BELGIUM, COMPULSORY, 18: 275-7.
- VOTING IN MASSACHUSETTS, PRACTICAL WORKING OF THE AUSTRALIAN SYSTEM OF, 2: 733-50.
- VOTING. MERITS AND DEFECTS OF THE PENNSYLVANIA BALLOT LAW OF 1891, 2: 751-71.
- VREELAND, H. H. Some Guiding Principles in the Adjustment of the Relations Between Employer and Employee, 27: 507-9.
- Wage-earners, 40: 40-4; 42: 25, 50, 51, 57, 93, 122, 138; 46: 8, 13; 48: 3, 106, 108, 109, 127, 164-88; 51: 238; 56: 106, 107; 59: 35; 61: 5, 93.

- WAGE-EARNER, COST OF PRIVATE MONOPOLY TO THE PUBLIC AND, 48:** 164-88.
- WAGE-EARNER'S FAMILY IN NEW YORK CITY, COST OF LIVING FOR A, 48:** 104-11.
- WAGE-EARNER AND THE PRISON WORKER, THE, 46:** 8-16.
- Wages, 1:** 56, 64, 429; **3:** 255, 264, 266-7; **4:** 337; **4:** Sup. Mch., '94, 43, 55, 97, 127; **14:** 102; **17:** Sup. J., '01, 31, 57, 548-50; **21:** 10-19, 29-30; **32:** 86-7; **34:** 249; **36:** 349-65; **37:** Sup. M., '11, 37, 48, 59, 60, 61, 74, 78, 83, 84, 89; **41:** 47, 143, 259, 289, 299; **42:** 3, 7, 12, 21-3, 25, 29, 44-5, 48, 75, 78, 121, 122, 135, 137, 141, 163, 224, 313; **44:** 60, 79, 114; **44:** Sup. N., '12, 38, 39, 41, 42, 43, 45, 46, 60, 68, 85; **48:** 3, 9, 19, 20, 23, 33, 41-5, 67, 70, 165; **49:** 39; **57:** 38-9; **59:** 104-5, 110-24; **60:** 21; **61:** 92, 94, 162, 266; agriculture, **40:** 44; Australia, **37:** 208; **48:** 22, 25, 29, 30, 31, 35; Buffalo, **20:** 455; coal, **16:** 497; **17:** 37-40; **36:** 347, 366-72; electric railways, **37:** 88; foreign, **21:** 23-8; France, **12:** 252, 256; **18:** 370; **33:** 407-19; immigration, **48:** 75-6; Japan, **54:** 265; lighting, **57:** 36; Maine, **35:** Sup. Mch., '10, 45; Massachusetts, **48:** 15, 46; **59:** 114; Negroes, **49:** 22, 93, 157; Ohio, **48:** 49; Oregon, **48:** 46-7; Pennsylvania, **48:** 39, 40; Pittsburgh, **33:** 326-37; seamen, **36:** 349; **63:** 235-6; Siam, **17:** 548; Switzerland, **17:** 548-50; taxation, **3:** 460-1; woman suffrage, **35:** Sup. M., '10, 6; women, **24:** 350-1; **33:** 335; **35:** Sup. M., '10, 6; **37:** Sup. M., '11, 94; **42:** 46; **48:** 4; **56:** 22, 65, 122, 124. *See* Labor, Trade-unions.
- WAGES, THE ADEQUACY OF AMERICAN, 59:** 111-24.
- WAGES IN FRANCE, LABOR AND, 33:** 407-19.
- WAGES AND INTEREST, LAW OF, 1:** 43-65.
- WAGES, LABOR AND, 33:** Mch., '09.
- WAGES, LOW, AND THE LOW WAGE ENVIRONMENT, 59:** 104-10.
- WAGE SCALE AGREEMENTS OF THE MARITIME UNIONS, 36:** 349-65.
- WAGE, MASSACHUSETTS AND THE MINIMUM, 48:** 13-21.
- WAGE, THE MINIMUM, AS PART OF A PROGRAM FOR SOCIAL REFORM, 48:** 3-36.
- WAGE PAYMENT, THE PREMIUM SYSTEM OF, 21:** 10-19.
- WAGE ACT, THE PROPOSED PENNSYLVANIA MINIMUM, 48:** 37-40.
- WAGES THEORIES, A CRITIQUE OF, 1:** 426-61.
- WAGE SCALE, THE EFFECT OF UNEMPLOYMENT ON THE, 61:** 90-102.
- WAGES IN THE UNITED STATES, 48:** 41-4.
- WAGES, POLITICAL EQUALITY FOR WOMEN AND WOMEN'S, 56:** 122-33.
- WAGE, THE LIVING, OF WOMEN WORKERS, 37:** Sup. M., '11.
- Wagner, Adolph, 4:** Sup. Mch., '94, 111, 117, 120.
- WAINWRIGHT, J. MAYHEW. Legal Aspects of Employers' Liability Laws, 38:** 144-50.
- WAINWRIGHT, RICHARD. The United States and the Far East: An Economic and Military Program, 54:** 251-3.
- WAITE, M. B. The Importance of Research as a Means of Increasing Agricultural Production, 59:** 40-50.
- WALD, LILLIAN D. The Federal Children's Bureau, A Symposium, 33:** Sup. Mch., '09, 23-8; Medical Inspection of Public Schools, **25:** 290-318; Organization Amongst Working Women, **27:** 638-45.
- Waldemar II, 1:** Sup. Mch., '91, 18.
- WALDRON, WILLIAM L. Effect of the New Jersey Department of Weights and Measures on the Cost of Living, 50:** 86-93.
- WALKER, C. S. The Farmers' Movement, 4:** 790-8.
- WALKER, FRANCIS. Policies of Germany, England, Canada and the United States Towards Combinations, 42:** 183-201; The Taxation of Corporations in the United States, **19:** 165-84.
- WALKER, FRANCIS AMASA, IN MEMORIAM: 9:** 173-7.
- WALKER, J. H. Banking System—Old and New, 3:** 581-96.
- WALKER, LEWIS, JR. Abuses in the Grain Trade of the Northwest, 18:** 488-90.
- WALKER, T. C. Development in the Tidewater Counties of Virginia, 49:** 28-31.
- Wallace, D. M., 4:** Sup. Mch., '94, 129.
- WALLING, WILLIAM ENGLISH. British and American Trade Unionism, 26:** 721-39; The New Unionism—The Problem of the Unskilled Worker, **24:** 296-315.
- WALRAS, LÉON. Geometrical Theory of the Determination of Prices, 3:** 45-64.
- WALSH, FRANK P. Low Wages and the Low Wage Environment, 59:** 104-10.
- WALTON, CLIFFORD STEVENS. Private and International Law in the Enforcement of Claims, 22:** 85-96.
- WALTON, JOHN M. The Application to a Municipality of Modern Methods of Accounting and Reporting, 41:** 64-8.
- WANAMAKER, JOHN. The Evolution of Mercantile Business, 15:** Sup. M., '00, 123-35; The John Wanamaker Commercial Institute—A Store School, **33:** 151-4.
- War, 3:** 150-79; **20:** 534-8; **29:** Sup. Mch., '07, 30, 31, 84; **44:** Sup. N., '12, 9; **58:** 57; **60:** 12, 104, 116-17, 151, 202-3, 219, 224; **61:** 127-8, 247, 252, 255. *See* America, Ammunition, Belligerents, European war, International law, United States.
- WAR, THE, AS A SUGGESTION OF MANIFEST DESTINY, 12:** 173-92.
- WAR, ARE FOODSTUFFS CONTRABAND OF? 56:** 161-71.
- WAR, THE, AND IMMIGRATION, 61:** 30-9.
- WAR. LAND CONFLICTS, THE IMPORTANT ELEMENTS IN MODERN, 26:** 101-20.
- WAR. NAVAL CONFLICTS, THE IMPORTANT ELEMENTS IN, 26:** 123-36.
- WAR—OR SCIENTIFIC TAXATION, 61:** 252-6.
- WARD, LESTER F. The Political Ethics of Herbert Spencer, 4:** 582-619; Principles of Sociology, **8:** 1-31; Psychologic Basis of Social Economics, **3:** 464-82; Sociology and Economics, **13:** 230-4.
- WARD, MAY ALDEN. Influence of Women's Clubs in New England and in the Middle-Eastern States, 28:** 205-26.
- WARE, EDWARD T. Higher Education of Negroes in the United States, 49:** 209-18.



- WARFIELD, ETHELBERG DUDLEY. The Moral Influence of Women in American Society, **34**: 106-14.
- WARNE, FRANK JULIAN. The Anthracite Coal Strike, **17**: 15-52; The Miners' Union: Its Business Management, **25**: 67-86; The Trade Agreement in the Coal Industry, **36**: 340-8; The Effect of Unionism Upon the Mine Worker, **21**: 20-35; The War and Immigration, **61**: 30-9.
- WARNER, CHARLES F. Public Evening Schools of Trades, **33**: 56-67.
- WARNOCK, A. W. Educating the Public to a Proper Appreciation of Urban Street Railway Problems, **37**: 104-9.
- WASHBURN, FRANK S. The Power Resources of the South, **35**: 81-98.
- WASHINGTON, D. C.: **4**: 77; **4**: Sup. S., '93, 101; **7**: 154; **10**: 127; **24**: 587; **25**: 628; **28**: 334; **29**: 198, 378, 586; charities, **10**: 477; **11**: 296; **17**: 356; **23**: 178-80; child labor, **33**: Sup. Mch., '09, 193-4; education, **17**: 356; **25**: 179-81; employment, **14**: 140; franchises, **9**: 298; **11**: 426; land, **58**: 154; municipal court, **52**: 100; municipal ownership, **57**: 274-5; Negroes, **49**: 24, 81; parks and playgrounds, **23**: 560; **26**: 771; police, **24**: 587; reciprocity, **19**: 198; sewers, **10**: 128; slums, **10**: 127; street railways, **7**: 144; taxation, **28**: 165; water, **30**: 585.
- WASHINGTON, OMAHA, LONDON, BERLIN, NEW YORK, PHILADELPHIA, BROOKLYN, SAN FRANCISCO, CINCINNATI, NEW ORLEANS; STREET RAILWAYS IN THE UNITED STATES, **7**: 144-61.
- Washington (state): **29**: Sup. Mch., '07, 56, 58; **46**: 86; **50**: 203; **53**: 55, 62, 73; **57**: 77, 58; 224; charter, **24**: 397; commission government, **38**: 745; commission merchants, **48**: 208; constitution, **2**: 145; constitutional legislation, **13**: 215; county officers, **47**: 22; employment, **59**: 166; home rule, **24**: 397; initiative, **43**: 84, 86, 160; minimum wage, **48**: 49; **56**: 132; prohibition, **56**: 148; referendum, **43**: 86; representation, **16**: 245; tax commission, **58**: 121; timber, **41**: Sup. M., '12, 13; valuations, **53**: 14; **58**: 115; woman suffrage, **13**: 215; **56**: 93.
- WASHINGTON, THE PROBLEM OF ORIENTAL IMMIGRATION IN THE STATE OF, **34**: 329-37.
- WASHINGTON, BOOKER T. Relation of Industrial Education to National Progress, **33**: 1-12; Industrial Education and the Public Schools, **49**: 219-32; The Negro's Part in Southern Development, **35**: 124-33; The Rural Negro Community, **40**: 81-9. See also **49**: 132-4, 166, 234, 236.
- Washington, George, **4**: Sup. Mch., '94, 71; **60**: 197-8.
- Waste, **51**: 229, 231, 237; **59**: 48, 96.
- WASTE DISPOSAL, A CITY PLAN FOR, **51**: 228-33.
- WASTE, FIRE, **51**: 104-9.
- WASTE OF PRIVATE HOUSEKEEPING, **48**: 91-5.
- WASTE, AND SEASONAL PRICE FLUCTUATIONS, PREVENTION OF, THROUGH REFRIGERATION, **50**: 48-56.
- WASTE MATERIAL AS A SOURCE OF PROFIT AND ADDED SECURITY ON TIMBER BONDS, **41**: Sup. M., '12, 76-80.
- WASTE IN EXTERNAL TRADE IN GENERAL AND WITH THE ORIENT IN PARTICULAR, **32**: 348-62.
- Water: **14**: 493; **21**: 322-4; **27**: 111; **30**: 557-92; **31**: 481; **32**: 103; **33**: 521, 666, 669-71; **37**: 346, 379; **40**: 208; **41**: 78, 82, 90; **51**: 170; **53**: 12, 50, 101, 111, 251, 258-60; **55**: 239-40; **57**: 126; **59**: 262; **63**: 244-53; Baltimore, **30**: 567; **48**: 223; Berlin, **31**: 476; Boston, **11**: 121; **13**: 272; Buffalo, **30**: 571; carriers, **55**: 6, 7, 34, 38-40; Chicago, **6**: 555; **30**: 557; Cincinnati, **7**: 356; **8**: 197, 414; **9**: 471; **30**: 578; Cleveland, **30**: 569; competition, **55**: 252; **59**: 272-4; Copenhagen, **31**: 479; Detroit, **30**: 582; Duluth, **21**: 322-4; **30**: 590; **53**: 101; England, **14**: 143; Glasgow, **8**: 583; governmental control, **63**: 246; highways, **59**: 267; London, **6**: 337, 560; **9**: 474; **27**: 20-36; Los Angeles, **53**: 113; Massachusetts, **13**: 272; **14**: 144; meters, **41**: 89; Mexico, **22**: 532; Milwaukee, **41**: 273; New Orleans, **15**: 291; **19**: 493; **30**: 58; New York, **41**: 16, 78, 84, 94; **51**: 175; New York City, **23**: 314; **27**: 111; **41**: 78, 82; Omaha, **14**: 384; Paris, **14**: 144; Pennsylvania, **53**: 50; Philadelphia, **10**: 472; **13**: 271; **30**: 562; power, **31**: 164; **33**: 535-65, 583-97; **63**: 244-54; Providence, **30**: 588; rates, **4**: Sup. S., '93, 56-7; **53**: 251-3; rural, **40**: 169; San Francisco, **30**: 575; **57**: 81; Stockholm, **31**: 480; Switzerland, **33**: 597-601; terminals, see Terminals; transportation, **55**: 17-47, 201-31, 263-4; **59**: 259, 263-5, 267; Trenton, **41**: 229; Washington, D. C., **30**: 585; waste, **4**: Sup. S., '93, 100; **35**: 114-19; Wisconsin, **53**: 98. See Steamship companies, Transportation.
- WATER, METHODS OF CONTROLLING COMPETITION BETWEEN DOMESTIC CARRIERS BY, **55**: 252-4.
- WATER, FEDERAL LEGISLATION, THE SCOPE OF STATE AND, CONCERNING THE USE OF, **33**: 566-82.
- WATER, GAS AND ELECTRIC LIGHT SUPPLY OF LONDON, THE, **27**: 20-36.
- WATER-POWER DEVELOPMENT ON THE NATIONAL FORESTS AND PROPOSED NEW LEGISLATION, **63**: 244-54.
- WATER POWER DEVELOPMENT, THE NECESSITY FOR STATE OR FEDERAL REGULATION OF, **33**: 583-96.
- WATER POWER IN THE MISSISSIPPI VALLEY, **31**: 164-77.
- WATER POWER. THE POWER RESOURCES OF THE SOUTH, **35**: 81-98.
- WATER POWER IN SWITZERLAND, FEDERAL CONTROL OF, **33**: 597-601.
- WATER POWER IN THE UNITED STATES, **33**: 535-65.
- WATER RATES, ELEMENTS TO BE CONSIDERED IN FIXING, **53**: 251-61.
- WATER REVENUE COLLECTION, EFFICIENCY IN, **41**: 86-92.
- WATER AS A RESOURCE, **33**: 521-34.



- WATER AND STREET RAILWAY SERVICES IN NEW YORK CITY, THE GAS, ELECTRIC LIGHT, 27: 111-31.
- WATER SUPPLY, GAS AND ELECTRICITY, ECONOMY AND EFFICIENCY IN THE DEPARTMENT OF, OF NEW YORK CITY, 41: 78-85.
- WATER SUPPLY, THE RELATION OF THE MUNICIPALITY TO THE, 31: 470-83.
- WATER TRANSPORTATION, GOVERNMENT REGULATION OF, Vol. 55.
- Waterfronts, 50: 135; 51: 175, 222, 240-2; 59: 250-1.
- WATER FRONT AND THE CITY PLAN, THE, 51: 222-7.
- Waterways: 4: Sup. S., '93, 8-9, 11-12, 14-47, 49, 54-72, 77-9, 87-8, 90-132, 147-56; 24: 494-5; 29: 277, 357-400; 31: 36, 73; 36: 169-74; 55: 54; 59: 258-82; Chicago, 29: 360; 59: 262; England, 4: Sup. S., '93, 23, 24; France, 4: Sup. S., '93, 41-2; 59: 273-4; Germany, 4: Sup. S., '93, 44-5; 31: 246; Great Britain, 24: 507-24; 31: 228-45; inland, 31: 246-62; New York, 51: 223-4; railroads, 51: 255; tariffs, 4: Sup. S., '93, 48-62.
- WATERWAYS, AMERICAN, 31: J., '08.
- WATERWAYS, AMERICAN, THE USE AND DEVELOPMENT OF, 31: 48-66.
- WATERWAYS, CHESAPEAKE AND DELAWARE, AND NORFOLK-BEAUFORT, ENGINEERING FEATURES OF, 31: 73-80.
- WATERWAYS, THE, AND COMMERCIAL EVOLUTION, 59: 259-82.
- WATERWAYS, THE PRESENT SIGNIFICANCE OF GERMAN INLAND, 31: 246-62.
- WATERWAYS OF GREAT BRITAIN, THE INLAND, AND THE PLANS UNDER CONSIDERATION FOR THEIR IMPROVEMENT, 31: 228-45.
- WATERWAYS, INLAND, THEIR RELATION TO TRANSPORTATION, 4: Sup. S., '93.
- WATERWAYS POLICY, NATIONAL INLAND, OUR, 31: 1-11.
- WATERWAYS, LEGISLATIVE PROGRAM CONGRESS SHOULD ADOPT FOR IMPROVEMENT OF AMERICAN, 31: 36-47.
- WATERWAYS OF THE SOUTH, THE INLAND, 35: 114-19.
- Waterworks: 15: 347; Cincinnati, 9: 471; England, 14: 143; London, 9: 474; Massachusetts, 16: 319; New Orleans, 15: 291; public ownership, 57: 279-81.
- WATER-WORKS, MUNICIPAL OWNERSHIP AND OPERATION OF, 57: 279-81.
- WATROUS, RICHARD B. Civic Art and Country Life, 40: 191-9.
- WATSON, E. J. Enforcement of Child Labor Laws in South Carolina, 35: Sup. Mch., '10, 96-102.
- WATSON, J. J. Churches and Religious Conditions, 49: 120-8.
- WAXWEILER, EMILE. Child Labor in Belgium, 28: 303-11.
- WAY, R. B. Mississippi Improvements and Traffic Prospects, 31: 146-63.
- WAYLAND, H. L. American Social Science Association, 3: 363-8.
- WEALE, PUTNAM. The One Solution of the Manchurian Problem, 39: 55.
- Wealth, 3: 257-92; 4: 424; 4: Sup. Mch., '94, 11, 33-4, 37-40, 46; 12: 325-57; 44: Sup. N., '12, 11, 16, 17, 42, 46-8; 60: 126, 134-5. See Banking, Banks, Capital, Business, Economics, Finance, Labor, Money, Property.
- WEALTH, EFFECTS OF CONSUMPTION OF, ON DISTRIBUTION, 3: 257-92.
- WEALTH CONCEPT, THE, 1: 615-34.
- WEALTH, MOTION STUDY AS AN INCREASE OF NATIONAL, 59: 96-103.
- WEALTH AND WELFARE, 12: 325-57; 13: 57-80, 173-211.
- WEATHER, DRUNKENNESS AND THE, 16: 421-34.
- WEATHERFORD, W. D. Race Relationship in the South, 49: 164-72.
- WEATHERLY, U. G. Indiana Child Labor Committee, 35: Sup. Mch., '10, 163-4.
- WEBB, SIDNEY. Problem of Unemployment in the United Kingdom, 33: 420-39.
- WEBER, ADNA FERRIN. The Significance of Recent City Growth: The Era of Small Industrial Centres, 23: 223-36.
- WEBSTER, GEORGE S. Subterranean Street Planning, 51: 200-7.
- WEBSTER, W. C. A Comparative Study of the State Constitutions of the American Revolution, 9: 380-420.
- Weights and measures, 41: 26, 213-14, 216; 48: 122, 144; 50: 15, 84, 88-9, 92, 94, 98-9, 101, 105, 108, 122, 128.
- WEIGHTS AND MEASURES, EFFECT OF THE NEW JERSEY DEPARTMENT OF, ON THE COST OF LIVING, 50: 86-93.
- WEIGHTS, MEASURES AND STANDARDS, SAVINGS THROUGH PROPER SUPERVISION OF, 50: 94-101.
- WEIGHTS AND MEASURES, EFFICIENT SUPERVISION OF, 41: 213-17.
- WEIL, HARRY E. Municipal Bond Issues Explained, 30: 389-95; The Physical Condition of a Municipality Issuing Bonds, 30: 384-8.
- WEINSTOCK, HARRIS. The German Courts for the Arbitration of Industrial Disputes, 36: 445-52.
- Welfare, state, 4: Sup. Mch., '94, 83.
- WELFARE, UNREGULATED COMPETITION IS DESTRUCTIVE OF NATIONAL, 42: 108-16.
- WELFARE, COMPETITION: THE SAFEGUARD AND PROMOTER OF GENERAL, 42: 89-97.
- WELFARE, COMPETITION AS A SAFEGUARD TO NATIONAL, 42: 74-82.
- WELFARE, THE HOLDING COMPANIES AND THE PUBLIC, 57: 305-12.
- WELFARE, THE HOLDING COMPANY AND THE PUBLIC, 57: 323-34.
- WELFARE, CONTRIBUTION OF INDUSTRIAL COMBINATIONS TO NATIONAL, 42: 134-9.
- WELFARE, WEALTH AND, 12: 325-57; 13: 57-80, 173-211.
- Welfare work, 35: Sup. Mch., '10, 49; 44: 39.
- WELFARE WORK AS A WAY TO PREVENT LABOR DISPUTES, 36: 381-90.
- WELLS, GEORGE FREDERICK. The Rural Church, 40: 131-9.
- WELLS, LESLIE C. The Remedy for Mexico, 54: 211-18.
- WELLS MEMORIAL INSTITUTE, RELIEF WORK IN THE, 5: 377-97.

- WELTON, BENJAMIN F. The Problem of Securing Efficiency in Municipal Labor, **41**: 103-14.
- WEST, OSWALD. The Problem of Prison Labor, **46**: 45-53.
- West, **16**: 243; **29**: 454; **47**: 15, 21.
- WEST, COMMISSION GOVERNMENT IN THE, **38**: 726-47.
- WEST, RELATIONS OF THE EAST TO THE, **36**: Sup. Jy., '10, 17-20.
- WEST, RECLAMATION OF ARID, BY FEDERAL GOVERNMENT, **31**: 203-18.
- WESTERN SOUTH AMERICA AND ITS RELATION TO AMERICAN TRADE, **18**: 446-68.
- WESTERN STATES, CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN THE, **25**: 508-15.
- WESTERN STATES, REPRESENTATION IN STATE LEGISLATURES IN THE, **16**: 243-72.
- West Indies, **7**: 4; **18**: 141-78; **19**: 383-91; **22**: 99-110; **54**: 220; **55**: 91-4.
- WEST INDIES, EUROPE AND THE UNITED STATES IN THE, **26**: 33-44.
- WEST INDIES, RACES OF, **18**: 141-78.
- WEST INDIAN POSSESSIONS, STRATEGIC VALUE OF HER, TO THE UNITED STATES, **19**: 383-91.
- WEST LYNN, MASSACHUSETTS, THE APPRENTICESHIP SYSTEM OF THE GENERAL ELECTRIC COMPANY AT, **33**: 141-50.
- West Virginia, **11**: 438; **16**: 93; **29**: 26; **29**: Sup. Mch., '07, 75; **35**: Sup. Mch., '10, 189; **38**: 691; **38**: Sup. Jy., '11, 149-53, 185; **53**: 7-8; **58**: 121, 129.
- WEST VIRGINIA, THE FORWARD MOVEMENT IN CHILD LABOR REFORM IN, **38**: Sup. Jy., '11, 149-53.
- WESTHEIMER, MORRIS F. Present American Business Conditions in the Distilling Industry, **34**: 569-77.
- Westminster Review, **4**: Sup. Mch., '94, 128.
- WESTON, GEORGE. Supervising Engineers and Street Railway Service, **37**: 191-202.
- WETHERELL, JANE J. Railroad Passenger Tariffs in Austria, **1**: 462-8; Railroad Passenger Fares in Hungary, **1**: 103-31.
- WEYL, WALTER E. Labor Conditions in France, **12**: 250-8; The Labor Situation in Mexico, **21**: 77-93; Causes Affecting Railway Rates and Fares, **11**: 324-52.
- WEXLER, S. The Lessons of the Panic of 1907, **31**: 448-53.
- Wharton School, University of Pennsylvania, **10**: 383.
- Wharves, **50**: 245.
- Wheat, **16**: 499; **45**: 248, 253; **59**: 6-7, 9.
- WHEELER, EVERETT P. Reform in Criminal Procedure, **36**: 185-9; The Increased Cost of Production, **48**: 244-51.
- WHELESS, JOSEPH. The Monroe Doctrine and Latin America, **54**: 66-83.
- WHITE, HENRY. The Fourth International Conference of the American States, **37**: 585-93; Machinery and Labor, **20**: 223-31.
- WHITE, HORACE. National and State Banks, **3**: 529-57; The Stock Exchange and the Money Market, **36**: 563-73.
- WHITIN, E. STAGG. Industrial Penology, **46**: 1-3.
- WHITIN, FREDERICK H. The Women's Night Court in New York City, **52**: 181-7.
- Whitling, Wm., **5**: 718-39.
- WHITMAN, WILLIAM. Revival of the Trade in Woolens, **34**: 477-84.
- WHITNEY, W. R. The Relation of Research to the Progress of Manufacturing Industries, **59**: 86-95.
- WHITTELSEY, SARAH S. Tendencies of Factory Legislation and Inspection in the United States, **20**: 235-53; Massachusetts Labor Legislation: an Historical and Critical Study, **17**: Sup. Jy., '01.
- WHITEMORE, GILBERT E. The Providence School Census System, **35**: Sup. Mch., '10, 130-3.
- WHITTEN, R. H. Recent Amendments to Election and Primary Laws, **25**: 326-7; Political and Municipal Legislation in 1899, **15**: 160-70; Political and Municipal Legislation in 1900, **17**: 244-59; Political and Municipal Legislation in 1901, **20**: 370-85; Political and Municipal Legislation in 1902, **21**: 261-79; Political and Municipal Legislation in 1903, **23**: 322-39; Certain Principles of Valuation in Rate Cases, **53**: 182-97.
- Wholesale markets, *see* Markets.
- prices, *see* Prices.
- Wholesalers, **48**: 203; **50**: 79, 157, 234.
- WICKERSEAM, GEORGE W. The Administration's Theory of a Constructive Policy Concerning Combinations, **42**: 277-83.
- WICKETT, S. MORLEY. Canada and the Preference; Canadian Trade with Great Britain and the United States, **45**: 29-46; Canadians in the United States, **45**: 83-98.
- v. WIESER, F. The Theory of Value, **2**: 600-28.
- WIESER'S NATURAL VALUE, **5**: 512-30.
- WILBUR, CRESSY L. The Census and the Public Health Movement, **37**: 286-304.
- WILCOX, DELOS F. The American Newspaper; A Study in Social Psychology, **16**: 56-92; Franchise Provisions in Commission Charters and Statutes, **38**: 783-97; Municipal Problems in Michigan, **23**: 341-3; Fundamental Planks in a Public Utility Program, **57**: 8-19; The Control of Public Service Corporations in Detroit, **31**: 576-92; Effects of State Regulation upon the Municipal Ownership Movement, **53**: 71-84; Taxation of Public Utilities, **58**: 140-8; Taxation of Real Estate Values and Its Effect on Housing, **51**: 34-40.
- WILDMAN, MURRAY SHIPLEY. The Independent Treasury and the Banks, **36**: 574-91.
- WILKIN, ROBERT J. The Responsibility of Parenthood, **36**: 64-70.
- William the Conqueror, **1**: Sup. Mch., '91, 17.
- WILLIAMS, ARTHUR. Industrial Peace Activities of the National Electric Light Association, **44**: 86-96.
- WILLIAMS, FREDERICK WELLS. The Real Menace of Russian Aggression, **13**: Sup. M., '99, 184-97.
- WILLIAMS, HENRY W. Money and Bank Credits in the United States, **5**: 531-56.
- WILLIAMS, HUGH. Selected Official Documents of the South African Republic and Great Britain, **16**: Sup. Jy., '00.
- WILLIAMS, JOHN. Uniform Systems of Child Labor Statistics, **33**: Sup. Mch., '09, 144-52;

- Harmful Effects of Industrial Combinations on Labor Conditions, **42**: 3-9.
- WILLIAMS, JOHN E. Trade Revival in the Lumber Industry, **34**: 512-19.
- WILLIAMS, JOHN SHARP. Control of Corporations, Persons and Firms Engaged in Interstate Commerce, **42**: 310-30; Federal Usurpations, **32**: 185-211.
- WILLIAMS, NATHAN B. The Federal Trade Commission Law, **63**: 1-23.
- WILLIAMS, TALCOTT. No Combination Without Regulation, **32**: 240-58; Competition as a Safeguard to National Welfare, **42**: 74-82; The Government of Dependencies, **13**: Sup. M., '99, 65-9; Europe and the United States in the West Indies, **26**: 33-44; The Ethical and Political Principles of Expansion, **16**: 227-42; An International Court, An International Sheriff and World Peace, **61**: 274-5; Silver in China, **9**: 359-79; Ethnic Factors in South America, **22**: 25-31.
- WILLIAMS, W. M. J. British Finance and the European War, **58**: 44-58.
- WILLIAMSON, EMILY E. Child-Labor Legislation, **21**: 446-51; Probation and Juvenile Courts, **20**: 259-67.
- Williamson, J., **1**: Sup. Mch., '91, 31.
- Williamsport, **8**: 198.
- WILLIS, H. PARKER. Reciprocity with Cuba, **22**: 129-47.
- WILLITS, JOSEPH H. The Labor Turn-Over and the Humanizing of Industry, **61**: 127-37; The Monmouth County Farmers' Exchange, **50**: 211-15.
- WILLOUGHBY, W. F. The Musée Social in Paris, **7**: 58-63; Statistical Publications of the United States Government, **2**: 236-48.
- WILLOUGHBY, W. W. A National Department of Health, **4**: 292-7.
- WILLOWS, MAURICE. Child Labor in Street Trades and Public Places, I, The Nickel Theatre, **38**: Sup. Jy., '11, 95-9.
- Wilmington, Del., **29**: 380.
- WILSON, GEORGE S. Parks and Public Playgrounds, **26**: 771-2.
- WILSON, HENRY LANE. Errors with Reference to Mexico and Events that Have Occurred There, **54**: 148-61.
- WILSON, JAMES H. The Settlement of Political Affairs in the Far East, **26**: 59-74.
- WILSON, WARREN H. Social Life in the Country, **40**: 119-30.
- WILSON, W. P. Commercial Relation of the United States with the Far East, **13**: Sup. M., '99, 154-7.
- Wilson, Woodrow, **43**: 87; **46**: 3; **54**: 87, 89, 125, 177, 180, 184-5; **60**: 164-6.
- WINCHESTER, ALBERT E. South Norwalk's Municipal Electric Works, **57**: 228-45.
- WINES, F. H. Sociology and Philanthropy, **12**: 49-57.
- Winnipeg, Canada, **57**: 77, 252, 260-1.
- WINSOR, MARY. The Militant Suffrage Movement, **56**: 134-42.
- WINSTON, GEORGE T. The Relation of the Whites to the Negroes, **18**: 105-18.
- Wireless telegraph, **55**: 21.
- Wirth, M., **1**: Sup. Mch., '91, 92.
- Wisconsin: **12**: 206; **13**: 269; **14**: 272; **15**: 161, 405-25; **17**: 74-91; **24**: 407; **29**: Sup. Mch., '07, 37; **37**: 79; **43**: 41, 56, 107, 184-6; **47**: 22; **52**: 114, 138-9; **53**: 7, 9, 12-14, 18, 59, 64, 75, 94, 97, 102, 105, 138, 143, 146, 148, 235, 264-5, 269; **57**: 88, 125, 143, 152-5, 158; **58**: 9, 79, 82, 87-8, 90-1, 94, 102, 115, 121, 128-9; **62**: 59, 62; charter, **18**: 352-4; child labor, **25**: 468; **29**: 156-8; **32**: Sup. Jy., '08, 144-6; **35**: Sup. Mch., '10, 144; commission government, **38**: 730; competition, **55**: 5, 37, 107, 252; coöperation, **50**: 203; corrupt practices, **11**: 179; cost of living, **48**: 234; elections, **11**: 177; electric companies, **53**: 98, 266; electric service, **53**: 266; electric utilities, **53**: 266; electricity, **53**: 107; farmers' coöperation, **48**: 230; franchises, **37**: 142-3, 156; **53**: 91; gas, **53**: 98, 265; going value, **53**: 104, 193; **57**: 158; home rule, **53**: 107; income tax, **58**: 9, 65-86, 101-2; indeterminate franchises, **53**: 12, 75; indeterminate permit, **53**: 102, 105, 135, 138, 143; **57**: 138; industrial insurance, **38**: 26; inheritance tax, **30**: Sup. S., '07, 125; **58**: 87-8; initiative and referendum, **43**: 179-90; life insurance, **26**: 208; liquor, **24**: 407; markets, **48**: 232; minimum wage, **48**: 49; **56**: 132; monopolies, **53**: 101; municipal ownership, **53**: 75-6; municipalities, **13**: 269; **14**: 272; **23**: 340-1; probation, **52**: 138; progressive movement, **43**: 41; Railroad Commission, **53**: 2, 79, 98, 102-6, 193, 263; **57**: 254-5; service, **53**: 104; street lighting, **53**: 103; street railways, **53**: 98, 101; tax commission, **58**: 70-1; taxation, **58**: 101-90; telephone, **57**: 146; timber, **41**: Sup. M., '12, 10, 11, 34, 46; utilities, **53**: 103; **54**: 303; **57**: 153-4; zone system, **61**: 171.
- WISCONSIN CHILD LABOR COMMITTEE, **33**: Sup. Mch., '09, 195-6; **35**: Sup. Mch., '10, 190-2.
- WISCONSIN CHILD LABOR LAW, THE OPERATION OF THE, **27**: 357-60.
- WISCONSIN, STATE SUPERVISION OF ELECTRIC RAILWAYS IN, **37**: 150-69.
- WISCONSIN INCOME TAX, THE, **58**: 65-76.
- WISCONSIN INCOME TAX, THE, **58**: 77-86.
- WISCONSIN PLAN, THE, FOR THE INITIATIVE AND REFERENDUM, **43**: 179-90.
- WISCONSIN MUNICIPALITIES, THE LEAGUE OF, **23**: 340.
- WISCONSIN, THE PARK MOVEMENT IN MADISON, **35**: 297-303.
- WISCONSIN, STATE BOARD OF CONTROL WITH SPECIAL REFERENCE TO THE EXPERIENCE OF, **17**: 74-94.
- WISCONSIN, THE TRUTH ABOUT STATE REGULATION OF UTILITIES IN, **54**: 303-20.
- WISE, STEPHEN S. Justice to the Child, **35**: Sup. Mch., '10, 35-41.
- WITMER, LIGHTNER. Psychological Clinic with Presentation of Cases, **34**: 141-62.
- Witnesses, **29**: Sup. Mch., '07, 63, 67.
- de Witt, Jean, **1**: Sup. Mch., '91, 33.
- WOLF, ISAAC, JR. Trade Possibilities in Germany and Austria, **60**: 35-8.
- WOLFE, S. H. State Supervision of Insurance Companies, **26**: 317-32.
- WOLFF, SOLOMON. Louisiana Child Labor Committee, **35**: Sup. Mch., '10, 168; Public Service Corporations of New Orleans, **31**: 630-8.



- Woman suffrage: **11**: 175; **13**: 215; **29**: Sup. Mch., '07, 7, 25-6; **35**: Sup. M., '10, 7-15, 21, 28-35, 37; **56**: 1-4, 13, 35, 38, 54-61, 93-100, 105-11, 113-15, 129-33, 138-40, 144-6, 155-60; **59**: 93; Australia, **56**: 93; Colorado, **18**: 552; **35**: Sup. M., '10, 8, 18-19; Idaho, **19**: 147-8; **56**: 93; Kansas, **56**: 93; liquor, **56**: 143-52; Minnesota, **13**: 215; Nevada, **11**: 175; Oregon, **11**: 176; polygamy, **35**: Sup. M., '10, 19-20; South, **56**: 56; South Dakota, **13**: 215; Utah, **19**: 145-7; **35**: Sup. M., '10, 19; **56**: 93; wages, **35**: Sup. M., '10, 6; Washington, **13**: 215; Wyoming, **18**: 556. See Equal suffrage, Suffrage, Women.
- WOMAN SUFFRAGE MOVEMENT, THE, IN GREAT BRITAIN, **35**: Sup. M., '10, 23-7.
- WOMAN SUFFRAGE, THE INADVISABILITY OF, **35**: Sup. M., '10, 36-7.
- WOMAN SUFFRAGE AND THE LIQUOR TRAFFIC, **56**: 143-52.
- WOMAN SUFFRAGE, THE LOGICAL BASIS OF, **35**: Sup. M., '10, 10-15.
- WOMAN SUFFRAGE MOVEMENT, SIGNIFICANCE OF THE, **35**: Sup. M., '10, 37.
- WOMAN SUFFRAGE AN AID TO SOCIAL REFORM, **35**: Sup. M., '10, 33-5.
- WOMAN SUFFRAGE OPPOSED TO WOMAN'S RIGHTS, **56**: 99-104.
- Woman's Christian Temperance Union, **3**: 22; **56**: 144. See Liquor, Local option, Prohibition, Temperance.
- WOMAN'S CHRISTIAN TEMPERANCE UNION, ORGANIZATION AND ACCOMPLISHMENTS OF THE, **32**: 513-30.
- WOMAN'S CHRISTIAN TEMPERANCE UNION, THE WORK OF THE NATIONAL, **32**: 508-12.
- WOMAN'S MOVEMENT, THE LARGER ASPECTS OF THE, **56**: 1-8.
- WOMAN'S PLACE IN INDUSTRY AND LABOR ORGANIZATION, **24**: 343-53.
- WOMAN'S PLACE IN THE NEW CIVILIZATION, **56**: 9-17.
- WOMAN'S RIGHTS, WOMAN SUFFRAGE OPPOSED TO, **56**: 99-104.
- Women: **4**: Sup. Mch., '94, 50; **14**: 101, 150; **24**: 219; **28**: 304; **29**: Sup. Mch., '07, 7, 25-6, 60; **34**: 106; **34**: Sup. Jy., '09, 21-2, 31; **35**: Sup. M., '10, 7, 9, 11-13, 18, 24, 75-6; **36**: 37-42; **37**: Sup. M., '11, 4-6, 29, 33-9, 47, 49, 64-75, 78, 83, 85-90; **48**: 3-4, 84, 88, 121; **56**: 2, 3, 6-8, 10-15, 19-24, 27-40, 42-4, 46-51, 53, 55, 58, 60, 62-77, 80, 85-8, 94, 97, 100-23, 113-14, 116-18, 129-33, 135-6, 139; Asia, **56**: 6-8; business, **35**: Sup. M., '10, 7; Canadian, **45**: 177; civil service, **56**: 74; colleges, **12**: 22; courts, **53**: 188-90; democracy, **35**: Sup. M., '10, 12; disability insurance, **59**: Sup. M., '15, 45; education, **37**: Sup. M., '11, 85-90; **56**: 38-40; employment, **6**: 570; **38**: Sup. S., '11, 27-9; Europe, **56**: 6-8; factories, **56**: 106; farms, **59**: 58; Great Britain, **35**: Sup. M., '10, 23-4; industrial training, **33**: 119-26; juvenile court, **52**: 188; **56**: 88-92; labor unions, **21**: 48; married, **4**: 233; Negro, **49**: 25; New York City, **52**: 181-7; New Zealand, **58**: 148-9; night court, **52**: 181, 183-4; north, **56**: 56; prison labor, **46**: 17-21; **56**: 67; probation, **36**: 27; recreation, **37**: Sup. M., '11, 85-90; South Dakota, **56**: 83; tenement inspectors, **22**: 394; unemployment, **37**: Sup. M., '11, 34; wage-earners, **17**: 556; **37**: Sup. M., '11, 79-84; **46**: 106-7; wages, **35**: Sup. M., '10, 6; **37**: Sup. M., '11, 4-15, 94; **42**: 46; **56**: 122; workers, **37**: Sup. M., '11, 16-17, 37-48, 59, 74, 78, 83; **56**: 58, 125-8; workers, **37**: Sup. M., '11, 33.
- WOMEN, THE MORAL INFLUENCE OF, IN AMERICAN SOCIETY, **34**: 106-14.
- WOMEN, THE OPPORTUNITY FOR, IN COURT ADMINISTRATION, **52**: 188-90.
- WOMEN, THE SOCIALIZING INFLUENCE OF THE BALLOT UPON, **56**: 105-10.
- WOMAN, ECONOMIC FUNCTION OF, **5**: 361-76.
- WOMEN, THE EDUCATION OF, AND SEX EQUALITY, **56**: 38-46.
- WOMEN. EQUAL SUFFRAGE—A PROBLEM OF POLITICAL JUSTICE, **56**: 93-8.
- WOMAN, THE EVOLUTION OF A NEW, **56**: 111-21.
- WOMEN, CHANGED IDEALS AND STATUS OF THE FAMILY AND THE PUBLIC ACTIVITIES OF, **56**: 27-37.
- WOMEN, THE INDUSTRIAL TRAINING OF, **33**: 119-26.
- WOMEN IN THE JUVENILE COURT, **56**: 88-92.
- WOMEN, THE LEGISLATIVE INFLUENCE OF UNENFRANCHISED, **56**: 54-61.
- WOMEN'S, PROPERTY, MARRIED, IN ANGLO-SAXON AND ANGLO-NORMAN LAW, **4**: 233-64.
- WOMEN, WORK OF, IN THE MERCANTILE HOUSES OF PITTSBURGH, **33**: 326-37.
- WOMEN IN MUNICIPAL ACTIVITIES, **56**: 71-7.
- WOMEN'S NIGHT COURT IN NEW YORK CITY, THE, **52**: 181-7.
- WOMEN, POLITICAL EQUALITY FOR, AND WOMEN'S WAGES, **56**: 122-33.
- WOMEN AND PRISON LABOR, **46**: 17-21.
- WOMEN, PROBATION WORK FOR, **36**: 27-36.
- WOMEN IN PUBLIC LIFE, Vol. **56**.
- WOMEN, REFORMATION OF—MODERN METHODS OF DEALING WITH OFFENDERS, **36**: 37-42.
- WOMEN AND SOCIAL LEGISLATION IN THE UNITED STATES, **56**: 62-70.
- WOMEN WHO WORK AND WOMEN WHO SPEND, **27**: 646-50.
- WOMEN WORKERS, MINIMUM LIVING WAGE OF, **37**: Sup. M., '11, 9-15.
- WOMEN WORKERS, THE LIVING WAGE OF, **37**: Sup. M., '11.
- WOMEN, THE BETTERMENT OF THE CONDITIONS OF WORKING, **27**: 613-23.
- WOMEN, THE CONDITION OF WORKING, FROM THE WORKING WOMAN'S VIEWPOINT, **27**: 627-37.
- WOMAN, THE DIFFICULTIES AND DANGERS CONFRONTING THE WORKING, **27**: 624-6.
- WORKINGWOMEN AND THE LAWS: A RECORD OF NEGLECT, **28**: 261-76.
- WOMEN, ORGANIZATION AMONGST WORKING, **27**: 638-45.
- WOMAN'S WORK AND ORGANIZATIONS, **28**: S., '06.
- Women's clubs: **12**: 22; **25**: 516-21; **28**: 227, 277-93; **46**: 17; **56**: 58-60, 73, 78-87, 108; California, **28**: 257; Colorado, **56**: 83;

- Connecticut, **56**: 83; general federation, **25**: 516; **28**: 277, 293; **46**: 17; **56**: 79, 80, 108; Illinois, **56**: 83; Maryland, **56**: 84; Massachusetts, **56**: 84; Missouri, **56**: 84; Negro, **37**: 363; New Jersey, **48**: 96-8; New Mexico, **56**: 83; New Orleans, **56**: 84; Oregon, **56**: 83.
- WOMEN'S CLUBS, WORK OF THE, IN CALIFORNIA, **28**: 257-60.
- WOMEN'S CLUBS, CIVIC ACTIVITIES OF, **56**: 78-87.
- WOMEN'S CLUBS, REPORT OF THE CIVIC COMMITTEE OF THE GENERAL FEDERATION OF, **28**: 293-5.
- WOMEN'S CLUBS, THE EIGHTH BIENNIAL CONVENTION OF THE GENERAL FEDERATION OF, **28**: 277-82.
- WOMEN'S CLUBS, THE WORK OF THE GENERAL FEDERATION OF, AGAINST CHILD LABOR, **25**: 516-21.
- WOMAN'S CLUB MOVEMENT, MEANING OF THE, **28**: 199-204.
- WOMEN'S CLUBS, MEN'S VIEWS OF, **28**: 283-92.
- WOMEN'S CLUBS IN THE MIDDLE-WESTERN STATES, **28**: 227-47.
- WOMEN'S CLUBS, INFLUENCE OF, IN NEW ENGLAND AND IN THE MIDDLE-EASTERN STATES, **28**: 205-26.
- WOMEN'S CLUBS. THE EFFECT OF CLUB WORK IN THE SOUTH, **28**: 248-56.
- WOOD, LEONARD. The Constructive Work of the American Army, **61**: 257-62; The Military Government of Cuba, **21**: 153-82.
- WOOD, MARY I. Civic Activities of Women's Clubs, **56**: 78-87.
- WOOD, STUART. Note on Prof. Graziani's Economic Theory of Machinery, **2**: 522-30; A Critique of Wages Theories, **1**: 426-61. See also **2**: 522.
- WOODFORD, A. B. The Use of Silver as Money in the United States, **4**: 91-149.
- WOODRUFF, CLINTON ROGERS. Election Methods and Reforms in Philadelphia, **17**: 181-204; Executive Power and Constitutional Amendment, **14**: 344-8; Fourth International Arbitration Conference, **12**: 298-300; Legislation for the Protection of Workingmen, **14**: 99-105; Municipal Progress, 1904-1905, **27**: 191-9; The Nationalization of Municipal Movements, **21**: 252-60.
- WOODRUFF, GEORGE W. Classification of the Public Lands, **33**: 605-10.
- WOODWARD, R. S., JR. Beneficial Effects of Industrial Combinations on Labor Conditions, **42**: 20-4.
- WOODWARD, S. W. A Business Man's View of Child Labor, **27**: 361-3.
- WOOLDRIDGE, A. P. The Commission as It Operates in Austin, Texas, **38**: 906-7.
- WOOLNS, **39**: 170; **42**: 81.
- WOOLNS, REVIVAL OF THE TRADE IN, **34**: 477-84.
- WOOLMAN, MARY SCHENCK. Relative Value and Cost of Various Trades in a Girls' Trade School, **33**: 127-40.
- WOOLSEY, THEODORE S. The Government of Dependencies, **13**: Sup. M., '99, 3-18.
- WORK, MONROE N. Negro Criminality in the South, **49**: 74-80.
- WORKS, LEWIS R. County Home Rule in California: The Los Angeles County Charter, **47**: 229-36.
- Workers, **44**: 29-30, 35, 59, 63-4, 72, 77, 99, 132, 143; **48**: 82; **61**: 9, 175, 177, 180.
- WORKER, THE NEW UNIONISM—THE PROBLEM OF THE UNSKILLED, **24**: 296-315.
- WORKERS, THE LIVING WAGE OF WOMEN, **37**: Sup. M., '11.
- Workhouse, **46**: 32, 99-101, 103, 115, 150.
- WORKHOUSE AS A REFORMATORY, THE, **46**: 99-104.
- WORKING CHILDREN, ACCIDENTS TO, **33**: Sup. Mch., '09, 131-43.
- WORKING CHILDREN, THE FEDERAL GOVERNMENT AND THE, **27**: 289-92.
- WORKING CHILDREN, SCHOLARSHIPS FOR, **33**: Sup. Mch., '09, 100-3.
- Workingmen, **3**: 78; **7**: 364; **9**: 475; **24**: 331-42; **33**: 246; **38**: 241-5; **51**: 6, 164.
- WORKING MAN, THE CHURCH AND THE, **30**: 441-55.
- WORKINGMEN, COMPULSORY STATE INSURANCE OF, **24**: 331-42.
- WORKINGMAN'S HOME AND ITS ARCHITECTURAL PROBLEMS, THE, **51**: 48-53.
- WORKINGMAN, PROTECTION OF, **14**: 99-105.
- Workmen's compensation: **38**: 31-4, 83-5, 119-43, 149, 184-201, 215, 221, 230-7, 241, 262; **44**: 10-11, 81, 87, 92; **46**: 7-149; **48**: 5; **52**: 109; **63**: 270; England, **44**: 11; Europe, **38**: 246; foreign countries, **38**: 241; Germany, **44**: 11; Massachusetts, **38**: 238-40. See Accidents, Employers' liability, Insurance.
- WORKINGMEN'S COMPENSATION IN THE BREWING INDUSTRY, **38**: 31-4.
- WORKMEN'S COMPENSATION, THE CONSTITUTIONAL PROBLEM OF, **38**: 119-27.
- WORKMEN'S COMPENSATION, RECENT PROGRESS IN EUROPEAN COUNTRIES IN, **38**: 246-56.
- WORKMEN'S COMPENSATION AND THE INDUSTRIES OF MASSACHUSETTS, **38**: 238-40.
- WORKMEN'S COMPENSATION, INJUSTICE OF THE PRESENT SYSTEM OF, **38**: 83-5.
- WORKMEN'S COMPENSATION LAW, NEW JERSEY EMPLOYERS' LIABILITY AND, **38**: 218-24.
- WORKMEN'S COMPENSATION LAWS, PRESENT STATUS OF, **38**: 128-43.
- WORKMEN'S COMPENSATION, RECENT NEW YORK LEGISLATION UPON, **38**: 230-7.
- WORKMEN'S COMPENSATION LEGISLATION, POINTS TO BE CONSIDERED IN, **38**: 184-201.
- WORKMEN'S COMPENSATION, THE SYSTEM OF, BEST ADAPTED TO THE UNITED STATES, **38**: 175-83.
- WORKMEN'S COMPENSATION. RESULTS OF VOLUNTARY RELIEF PLAN OF UNITED STATES STEEL CORPORATION, **38**: 35-44.
- Workshops, **17**: Sup. J., '01, 23.
- World peace, see Peace.
- WORLD COURT AND LEAGUE OF PEACE, **61**: 276-83.
- WORLD'S PEACE, AMERICA'S POSSIBLE CONTRIBUTION TO THE, **60**: 230-4.
- WORLD PEACE, AN INTERNATIONAL COURT, AN INTERNATIONAL SHERIFF AND, **61**: 274-5.



- WORLD'S PEACE, HOW CAN AMERICA BEST CONTRIBUTE TO THE MAINTENANCE OF THE? **61**: 235-8.
- WORMS, RENÉ. Third Congress of the International Institute of Sociology, **11**: 109-12.
- WOTHERSPOON, WILLIAM WALLACE. The Training of the Efficient Soldier, **26**: 147-60.
- WRIGHT, CARROLL D. Relation of Economic Conditions to the Causes of Crime, **3**: 764-84; Work of the National Society for the Promotion of Industrial Education, **33**: 13-22.
- WRIGHT, CHARLES EDWARD. Scope of State and Federal Legislation Concerning the Use of Waters, **33**: 566-82.
- WRIGHT, HENRY C. Development of Transit Control in New York City, **31**: 552-75.
- WRIGHT, R. R., JR. The Migration of Negroes to the North, **27**: 559-78; The Negro in Unskilled Labor, **49**: 19-27; Social Work and Influence of the Negro Church, **30**: 509-21.
- WUARIN, LOUIS. Recent Political Experiments in the Swiss Democracy, **6**: 361-80.
- WUEST, ROBERT. Industrial Betterment Activities of the National Metal Trades Association, **44**: 74-85.
- WYMAN, BRUCE A. M. Unfair Competition by Monopolistic Corporations, **42**: 67-73.
- Wyoming: **29**: Sup. Meh., '07, 58, 64, 75; **38**: 741; **47**: 207; convict labor, **46**: 58; initiative, **43**: 86, 208; municipal ownership, **21**: 324-5; referendum, **43**: 86, 208; representation, **16**: 244; tax commission, **58**: 121; valuations, **58**: 115; woman suffrage, **18**: 556; **56**: 93.
- YALDEN, J. ERNEST G. The Short Course Trade School, **33**: 68-77.
- YALE UNIVERSITY INSTRUCTION IN HISTORY AND POLITICAL SCIENCE, **5**: 646.
- YATES, HENRY W. Panic Preventions and Cures, **31**: 398-412.
- Yellow fever: **57**: 62; Philippine Islands, **24**: 426; tropics, **61**: 259. See Disease, Tropical diseases.
- journalism, **16**: 76.
- YELLOW PINE SITUATION, THE, **34**: 532-8.
- YOELL, A. E. Oriental vs. American Labor, **34**: 247-56.
- YOSHIDA YOSABURO. Sources and Causes of Japanese Emigration, **34**: 377-87.
- Young, Arthur, **1**: Sup. Meh., '91, 40.
- YOUNG, FREDERICK G. Columbia River Improvement and the Pacific Northwest, **31**: 189-202; Why Oregon Has not Had an Oriental Problem, **34**: 306-10.
- YOUNG, G. A. The Mineral Resources of Canada, **45**: 131-50.
- YOUNG, JAMES T. Administrative Centralization and Decentralization in England, **10**: 187-205; Administrative Centralization and Decentralization in France, **11**: 24-43; Business and Science, **28**: 28-37; Colonial Autonomy, **19**: 392-407; The New Government Regulation of Business, **59**: 212-25; The Basis of Present Reform Movements, **21**: 238-51; The Administration of City Schools, **15**: 171-85.
- YOUNG, JOHN P. The Support of the Anti-Oriental Movement, **34**: 231-8; Waste in External Trade in General, and with the Orient in Particular, **32**: 348-62.
- YOUNG, STANLEY. Enlargement of Clearing House Functions, **36**: 607-12.
- Young Men's Christian Association, **44**: 78; **49**: 131, 170.
- YOUNG MEN'S CHRISTIAN ASSOCIATION, THE CHINESE, **39**: 109-23.
- YOUNG MEN'S CHRISTIAN ASSOCIATION, RURAL WORK OF THE, **40**: 140-8.
- YUDELSON, SOPHIE. The Education and Professional Activities of Women, **25**: 117-23; Woman's Place in Industry and Labor Organizations, **24**: 343-53.
- ZACHARIE, F. C. Can the States Regulate Private Forests? **33**: 510-17.
- Zeichen der Zeit im Deutsche Münzwesen*, **4**: Sup. Meh., '94, 56.
- Zeitschrift des kgl. preussischen statistischen Bureaus*, **4**: Sup. Meh., '94, 118.
- — — *sächsischen statistischen Bureaus*, **4**: Sup. Meh., '94, 118.
- *für die gesammte staatswissenschaft*, **4**: Sup. Meh., '94, 86, 116, 117.
- — — *preussische Geschichte*, **4**: Sup. Meh., '94, 121.
- Zimmermann, E., **1**: Sup. Meh., '91, 37.
- Zinc, **59**: 22-3.
- Zone system: German, **51**: 171; New York Telephone Company, **53**: 67; Wisconsin, **51**: 171.
- Zoölogy, **59**: 43.
- ZORN, PHILIP. The Constitutional Position of the German Emperor, **14**: 73-93.
- ZUG, CHARLES K. Real Estate as a Security for Loans, **25**: 51-60.
- ZUMOTO, MOTOSADO. Commercial Relations Between the United States and Japan, **36**: Sup. Jy., '10, 17-20; Relations of the East to the West, **36**: Sup. Jy., '10, 17-20.

